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1 Detroit Police Department as part of your either
2 criminal or departmental investigation?

3 A I don't have any idea. I would have to see one.

4 Q Were you aware that during the trial, Lieutenant
5 Walton testified that she was provided with these by
6 Sergeant Lewis?

7 MS. JONES: Objection. The
8 best witness to answer that is Lieutenant Walton,
9 and she is the next one up.

10 MR. GOLDPAUGH: Well, we are
11 going to get to it because he was the officer in
12 charge of the case. I asked him if he was aware of
13 that. That's all.

14 COMMANDER ENNIS: I will allow
15 it.

16 Q (By Mr. Goldpaugh) Were you aware that during the
17 trial, Lieutenant Walton testified that she was
18 provided with these documents?

19 A I don't recall that, no.

20 Q Were you aware, as you sat through the trial, that
21 these documents that were requested were provided to
22 the Court through the testimony of Mattie Lewis?

23 A I don't recall. I would have to see the testimony
24 that was given.

25 Q You just don't recall, and I understand that.

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1 Suffice it to say, you did receive a letter or
2 Internal Affairs did receive a letter requesting
3 discovery in the departmental proceedings, is that
4 correct, once departmental charges came down?

5 A That is common practice, yes.

6 Q You, as the officer in charge of the case, or
7 whoever was in charge of it at that point in time,
8 put together-- and there are a whole lot of charges
9 here, I understand that-- put together a package, is
10 that right, your Investigator's Report and the
11 documents that were requested and so forth and so
12 on. Is that correct?

13 A I didn't put it together, no.

14 Q Who did that?

15 A One of our clerks.

16 Q You just gave it to--

17 A I didn't give it to anybody.

18 Q I mean the letter, I didn't mean the reports.

19 A I didn't get the letter.

20 Q You didn't get the letter, all right, but
21 eventually, somebody gave all this stuff that was in
22 the file. Right?

23 A Correct.

24 Q So you don't have any knowledge as to whether or not
25 Defendant Collins received these initiative reports

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1 that were requested?

2 A No, I don't.

3 Q Now, you have gone through and you have pointed out
4 certain activity logs we have talked about, and we
5 know there is a whole bunch of them there. Right?

6 A Yes.

7 Q By the way, did you go through the Department
8 records to see if there had ever been a written
9 request for outside employment by Officer Collins?

10 A A check was made if that's what you're asking.

11 Q My question was, did you go through the Department
12 records and see if there was a written request by
13 Officer Collins?

14 MS. JONES: I'm sorry, are you
15 referring to he, himself, personally, or the team?

16 MR. GOLDPAUGH: Did he do it.

17 Q (By Mr. Goldpaugh) Did you do that?

18 A I did not personally go check records.

19 Q Would it be a fair statement that you did not do
20 that because, initially, your investigation was into
21 the criminal area with respect to these charges that
22 were brought against Officer Collins?

23 A Could you repeat that question?

24 Q Well, it is the role and the mission of Internal
25 Affairs to investigate criminal activity. Correct?

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1 A Yes.

2 Q So you were investigating allegations of a crime.
3 Correct?

4 A A possibility of a crime, sure.

5 Q So you weren't worried, and I'm not saying you
6 should have been, whether or not he had permission
7 to work outside employment.

8 It was just, according to the
9 allegations, working outside employment, whether he
10 had permission or not, and he should have been at
11 the Department. Is that correct? That was the
12 allegation?

13 A That would be correct.

14 Q So whether or not he had permission to work outside
15 was irrelevant to your initial investigation. Would
16 that be a fair statement?

17 A Initially, yes.

18 MR. GOLDPAUGH: No other
19 questions of this witness.

20 MS. JONES: Just briefly just
21 based on that last question.

22 REDIRECT EXAMINATION

23 BY MS. JONES:

24 Q As part of your investigation into the fact that he
25 was working elsewhere when he should have been

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1 working for the City of Detroit, is part of the fact
2 that he had outside employment part of that
3 investigation?

4 MR. GOLDPAUGH: I'm going to
5 object because, first of all, it's compound. Second
6 of all, he has already testified that whether or not
7 he had outside employment was totally irrelevant to
8 his charges of criminal investigation.

9 MS. JONES: I defer to the
10 Board.

11 COMMANDER ENNIS: Separate your
12 question. Your first question is?

13 MS. JONES: It wasn't compound.
14 Nonetheless--

15 MR. GOLDPAUGH: I will go to
16 convoluted statement.

17 Q (By Ms. Jones) When did you get your investigation?

18 A I have to refer real quick to my--

19 Q Go ahead.

20 A I received the assignment December 10, 2009.

21 Q December 10, 2009. Do you recall or does your
22 report show when it was determined he did not have
23 permission to work outside--

24 MR. GOLDPAUGH: I'm going to
25 object to that.

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1 MS. JONES: I haven't even got
2 the question out.

3 MR. GOLDPAUGH: Well, ask the
4 question. You are saying does your report say when
5 it was determined he didn't have permission.

6 He can only testify as to what
7 he did.

8 Q (By Ms. Jones) Do you recall what date your team
9 found out he had no permission?

10 MR. GOLDPAUGH: I'm going to
11 object because of the very reason before. He said
12 the team determined. My simple question to him was,
13 did you go and check the records to see if he had
14 applied for outside employment? That's all I said.

15 He said he didn't do it. Now,
16 if some other team member wants to come in here and
17 say yes, we did it, that's fine. But all we hear on
18 this issue is, well, this person told me I didn't
19 give him permission, this person told me I didn't
20 give him permission, and there is allegations of all
21 that going on.

22 But the way it is to be proven
23 is, did you go and check the records? That's all.

24 MS. JONES: As we have talked
25 about before, they work in a team environment. I'm

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1 not going to parade 20 IA people down here when the
2 OIC should be able to answer the question, because
3 that's what the team did.

4 MR. GOLDPAUGH: But we don't
5 know who did it, and not because he doesn't know.
6 She says "the team." Well, I mean that's like if
7 anybody tells me that officer so and so did
8 something, and I'll buy that, but don't tell me I
9 don't know, I know I didn't do it.

10 Then we hear the team did it.
11 I mean we tried to get in testimony of what Rodney
12 Cox told a member of the team. That's all I want to
13 know. I just want to know that Officer Smith on his
14 team came in and said, I checked the records, and
15 there is nothing there. I have no problems with
16 that.

17 MS. JONES: And you have that.

18 MR. GOLDPAUGH: No, I don't
19 have that. I have everybody said I didn't give him
20 permission.

21 COMMANDER ENNIS: Your
22 objection is you want him to specify who on the team
23 provided information as questions are asked?

24 MR. GOLDPAUGH: Among other
25 things, yes.

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1 COMMANDER ENNIS: That's part
2 one. Your position, the City's position--

3 MS. JONES: I just want to know
4 what the date is that he found out that the guy
5 didn't have permission. I didn't ask who.

6 MR. GOLDPAUGH: I know you
7 didn't. That's my objection.

8 COMMANDER ENNIS: We have
9 allowed for the OIC to testify as the officer in
10 charge, as the person who puts the case together, as
11 the person who summarizes it, as the person who
12 gathers all the information from the team.

13 We have already allowed that,
14 and we have already allowed questioning, we have
15 allowed answers. So if your objection is he doesn't
16 know specifically who he got the information from,
17 is that--

18 MR. GOLDPAUGH: That's part of
19 it, yes, and I also would like to know how he got
20 the information. In other words, was it because
21 somebody, A, told B, who is a member of the team,
22 well, I didn't give him permission, so therefore, he
23 didn't have permission, or did B, the member of the
24 team go check the record and say it's not there?
25 That's what I want to know.

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1 COMMANDER ENNIS: I understand.
 2 MS. JONES: Approaching the
 3 witness.
 4 Q (By Ms. Jones) Referring you to the investigation
 5 report that I have, can you determine if it was
 6 hearsay or if files were looked up to determine that
 7 he had no permission?
 8 A Should I just--
 9 Q I don't want you to read. Just answer the question.
 10 Let's do it in two parts. Did someone say that he
 11 had no permission to work outside employment during
 12 the period of 2007 to 2009?
 13 A Correct.
 14 Q Was something reviewed in order to make that
 15 determination?
 16 A Yes.
 17 Q What was that?
 18 A Outside employment approvals.
 19 Q Thank you. He had no approval to work outside
 20 employment. Yet, he worked St. John's Hospital.
 21 Correct?
 22 A Correct.
 23 Q In fact we have video that shows him working--
 24 MR. GOLDPAUGH: I'm going to
 25 object to that.

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1 Q (By Ms. Jones) --at the hospital. Is that correct?
 2 MR. GOLDPAUGH: I'm going to
 3 object to that.
 4 COMMANDER ENNIS: Hold on.
 5 What is the nature of your objection?
 6 MR. GOLDPAUGH: We have video
 7 of something? Where?
 8 MS. JONES: I was getting ready
 9 to admit it. You have it in discovery.
 10 MR. GOLDPAUGH: I'm not talking
 11 about having it in discovery. You don't just
 12 testify we have something on redirect, number one.
 13 Number two, this is outside the
 14 scope of anything. If she wants to admit something,
 15 she doesn't start saying, oh, we have this where he
 16 is working outside employment.
 17 MS. JONES: It is not outside
 18 the scope because he was speaking to-- his
 19 questioning was speaking to his outside employment.
 20 So it is not outside the scope.
 21 MR. GOLDPAUGH: That is not
 22 true. If she wants to admit something as an
 23 exhibit, she can't start testifying from that seat,
 24 oh, we have video showing something.
 25 I never challenged that he

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1 wasn't working. I never challenged outside
 2 employment. All I challenged was permission and
 3 whether or not during those times, and that is the
 4 issue, whether he was giving eight hours to the
 5 Detroit Police Department as well as what he was
 6 supposed to give to them.
 7 So to say we have evidence,
 8 where was this when we went through 14 exhibits? I
 9 have no objections to it.
 10 COMMANDER ENNIS: Sustained.
 11 Move on.
 12 Q (By Ms. Jones) You acquired information that they
 13 determined he worked at St. John's Hospital.
 14 Correct?
 15 A Yes.
 16 Q Did you also acquire information or documentation
 17 that showed that he worked Allen Academy?
 18 A Yes.
 19 Q There has been no dispute that he worked this
 20 outside employment. Correct?
 21 A No.
 22 Q The dispute lies in did he--
 23 MR. GOLDPAUGH: I'm going to
 24 object as to the leading nature of the question as
 25 to what she is posing to the officer in charge as to

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1 what the dispute is.
 2 COMMANDER ENNIS: Sustain.
 3 Rephrase it.
 4 MS. JONES: I will rephrase.
 5 Q (By Ms. Jones) What is the dispute, if you know, as
 6 it relates to the outside employment?
 7 MR. GOLDPAUGH: Objection as to
 8 relevancy. That is not to come from this witness.
 9 We all know what the dispute is. The dispute is
 10 whether or not he was working at the same time and
 11 not giving eight hours to the Detroit Police
 12 Department.
 13 MS. JONES: Thank you, but you
 14 can't testify, sir.
 15 MR. GOLDPAUGH: Well, neither
 16 can he as to what the dispute is. He is a witness,
 17 not a prosecutor.
 18 MS. JONES: You are the
 19 attorney. What we say is not evidence. The
 20 evidence has to come from the witness.
 21 MR. GOLDPAUGH: What the
 22 dispute is is not evidence. That is a theory or an
 23 opinion. Evidence is what brings to the trier of
 24 fact what is in dispute. We already know what is in
 25 dispute, not from this witness.

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MS. JONES: I defer to the Board.

COMMANDER ENNIS: I will sustain the objection. Please move on.

MS. JONES: Nothing further. Pass to the Panel.

COMMANDER ENNIS: Inspector? INSPECTOR BLACKMON: Just one question. What was your purpose for interviewing Mrs. Collins or having her interviewed?

THE WITNESS: What type of activity he was actually doing at the sporting complex and who actually owned it, and what was it. That is what we wanted to get out of that.

INSPECTOR BLACKMON: Was there ever a question about the times that he was at the complex?

THE WITNESS: Not that I was given, no.

INSPECTOR BLACKMON: Thank you. COMMANDER ENNIS: I have a couple questions, Sergeant. Were you the OIC from the outset of the investigation?

THE WITNESS: From the onset?

COMMANDER ENNIS: Yes, from the

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onset?

THE WITNESS: Correct.

COMMANDER ENNIS: So you were the OIC from the very beginning when the initial complaint letter came in through the Chief's office?

THE WITNESS: What happens is when the letter comes to the Chief's office and it comes down to Internal Affairs, a preliminary-- the Alert Team will go out to conduct a preliminary investigation. From there, it gets determined whether or not they will go forward to investigate or not.

If they decide to go forward with it, it gets assigned to an investigator, and that was myself.

COMMANDER ENNIS: Did you direct all the activities of the team and the collection of the records, the interviewing of all of the witnesses?

THE WITNESS: A coordination, yes.

COMMANDER ENNIS: You were present during the investigative subpoena?

THE WITNESS: Yes, sir.

COMMANDER ENNIS: Do you have a

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copy of the complaint letter?

MS. JONES: Exhibit No. 10.

COMMANDER ENNIS: Can we take five minutes off the record?

(At 3:16 p.m., recess taken)

(At 3:37 p.m., back on the record)

MS. JONES: Back on the record.

We were off the record for the Board to review a document, I believe it was Exhibit No. 10. Additionally, we have two documents that have been presented by defendant's counsel which we have listed as Exhibit No. 15, which is a compilation of memorandums.

They are all dated November 29, 2010, but I don't believe that is the exact date that these were actually drafted. They were drafted by Sergeant Mattie Lewis. She is not present to authenticate these in any way, so I do have my question as to any weight you give these.

As counsel mentioned, they were in the trial testimony, and he believes that the Department should have had it in the Internal Affairs file since it was an ongoing investigation. (At 3:37 p.m., AX#15 marked)

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MS. JONES: Additionally, there is Exhibit No. 16 which are football schedules. My concern is this is a Flint football schedule. It has nothing to do with the City of Detroit. However, if you read the criminal trial transcript, this did come out in the criminal trial.

(At 3:38 p.m., AX#16 marked)

MS. JONES: So I am stipulating only as to its admissibility but caution what weight you give this, if any. These are Association Exhibits No. 15 and 16.

MR. GOLDPAUGH: Just to make the record complete, as Ms. Jones indicated, there is testimony with respect to Lieutenant Walton indicating that these documents were presented to the Department through Mattie Lewis. There was some question at that point in time about the dates.

I don't know how these come up because I receive documents all the time in that little memorandum that always have the same dates, so I have no idea what happens there. But that is neither here nor there.

They were in the possession of the Department. We were entitled to these documents not only because they were potentially admitted

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1 through Sergeant Lewis in the criminal trial but
2 because, as part of the discovery and as part of the
3 defense that is being raised, we should have gotten
4 that in discovery. It never was.

5 It was authenticated and
6 admitted in the transcript and in the proceedings of
7 the trial which has been admitted. Therefore, to
8 keep as consistent as possible when you are looking
9 at defenses as well, you should have all the
10 documents.

11 We can always adjourn this and
12 bring everybody in, but I don't think we want to do
13 that. The other thing is that, with respect to the
14 schedule, there has been a great deal of testimony
15 about football, wherever it may be. There were some
16 defenses raised there.

17 There is testimony in the trial
18 transcript that this was posted at the Ninth
19 Precinct and so, therefore, we should have also been
20 included with this. We didn't get it, but we did
21 get it through these proceedings. So we are asking
22 that this also be admitted for those reasons.

23 Of course, with any piece of
24 evidence, it goes to admissibility. That is
25 something for you to make a determination as to what

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1 weight to give it. Thank you.

2 MS. JONES: Did you receive it,
3 sir?

4 COMMANDER ENNIS: I will
5 receive Association Exhibit No. 15, the Initiative
6 Reports authored by Sergeant Mattie Lewis.

7 Association Exhibit No. 16, the
8 football schedule, is also admitted.

9 MR. GOLDPAUGH: I think one is
10 a four-page document. The rest of them are two
11 pages.

12 COMMANDER ENNIS: Thank you.
13 The Initiative Reports are four pages?

14 MR. GOLDPAUGH: I believe it is
15 four separate documents dealing with four different
16 times. It is a set of four, but I think it's a
17 total of six days, six or seven.

18 COMMANDER ENNIS: Thank you.
19 (At 3:41 p.m., AX#15 and 16
20 received)

21 MS. JONES: Are there any other
22 questions for the OIC at this time?

23 COMMANDER ENNIS: No.

24 MS. JONES: I do have one
25 question.

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1 Q (By Ms. Jones) Sergeant, you did eventually conduct
2 a Garrity of Mattie Lewis?

3 A One of the team, yes.

4 MS. JONES: Thank you. That
5 was the question.

6 RECROSS-EXAMINATION

7 BY MR. GOLDPAUGH:

8 Q Was that after there was a determination no criminal
9 charges were going to be brought against Mattie
10 Lewis?

11 A I don't know.

12 Q You just know that after she went to an
13 investigative subpoena and after a warrant was
14 granted and Officer Collins was arraigned, that is
15 when the Garrity interview occurred, right, some
16 time in July of 2010?

17 A Some time after the investigative subpoena for this
18 case?

19 Q Right.

20 A Yes, there was a Garrity conducted.

21 Q Was it after the warrant was obtained against
22 Officer Collins?

23 A I would have to look at the--

24 MS. JONES: I will stipulate it
25 was, yes.

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1 MR. GOLDPAUGH: No other
2 questions.

3 MS. JONES: Thank you.

4 (At 3:43 p.m., witness excused)

5 MS. JONES: We call Whitney
6 Walton to the stand.

7 UNIDENTIFIED: Raise your right
8 hand. Do you swear or affirm that the testimony you
9 are about to give this Board is the truth?

10 LIEUTENANT WALTON: I do.

11 WHITNEY WALTON

12 (At 3:43 p.m., sworn as a witness, testified
13 as follows)

14 DIRECT EXAMINATION

15 BY MS. JONES:

16 Q Please state your name, badge and rank?

17 A Lieutenant Whitney Walton, badge L-18.

18 Q Where are you employed?

19 A Detroit Police Department, and I'm in charge of
20 Internal Affairs.

21 Q Does Todd Svenkesen work under you?

22 MR. GOLDPAUGH: Stipulate.

23 Q (By Ms. Jones) At some point in time, did you know
24 Jerome Collins?

25 A Yes.

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1 Q How did you know him?

2 A We had a case at Internal Affairs that was assigned
3 to Sergeant Svenkesen regarding time fraud.

4 MR. GOLDPAUGH: Stipulate she
5 knows Officer Collins.

6 MS. JONES: I'm asking
7 questions as I'm--

8 MR. GOLDPAUGH: I apologize.

9 Q (By Ms. Jones) At some point in time, you created
10 some charts showing overlap of hours?

11 A I did.

12 Q How did you determine that these hours were
13 overlapping?

14 A Initially, I only had the St. John's employment
15 records. So I took St. John's and activity logs and
16 daily details for DPD and did the Excel spreadsheet.

17 Then when we found out about
18 Allen Academy, then I expanded that to include Allen
19 Academy, and then, additionally, the one that shows
20 the total number of hours in a day that Officer
21 Collins was purportedly working.

22 Q On one of those documents, you say you have a total
23 of the number of hours?

24 A There is one of these that is missing. The original
25 DPD one is not here. These all include Allen

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1 Academy, and St. John doesn't have the original.

2 Q You are referring to the one that is DPD and just
3 St. John's. Correct?

4 A Yes. I'm sorry, and your question was?

5 Q My question is, at some point in time, is there a
6 document that you created that shows the number of
7 total hours for each individual day?

8 A Yes. For the total number of hours overlapping, is
9 that what you're saying, not for each day?

10 Q One second. I will try to find our copy of the
11 charts.

12 MR. GOLDPAUGH: I have my
13 chart.

14 MS. JONES: I'm going to have
15 to come up there and question you from looking at
16 this one.

17 Q (By Ms. Jones) Referencing the document that shows
18 the total, because there are three documents in
19 Exhibit No. 7, can you tell us what you are looking
20 at currently?

21 A I am looking at the spreadsheet that has St. John's,
22 DPD, Allen Academy, and it has the total number, the
23 time on duty and off duty, total number of hours
24 worked for each entity and then the total number of
25 hours reflecting a 24-hour period.

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1 Q Given the figures that you are showing for
2 St. John's, where did you get those figures from?

3 A The employment records that we got through a search
4 warrant.

5 Q From St. John's?

6 A Yes.

7 MS. JONES: Those have been
8 admitted for the Panel, the documentation in Exhibit
9 No. 4.

10 MR. GOLDPAUGH: For the record,
11 I think a great deal of this testimony has been
12 dealt with with respect to the trial transcript. I
13 want to make sure that the record is clear that the
14 documents we are talking about here, which are our
15 exhibits, you are aware of what exhibits Lieutenant
16 Walton is talking about in the prosecutor's numbers.

17 Ms. Jones and I talked about
18 this. In other words, our Exhibit No. 7 is the
19 document that we are talking about here. This
20 document is Exhibit No. 4, I believe, in the trial
21 transcript.

22 So when you are mixing and
23 matching, so to speak, I want to make sure that you
24 are not looking at our Exhibit No. 4--

25 COMMANDER ENNIS: I understand.

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1 Yes, sir.

2 MR. GOLDPAUGH: --when trying
3 to make heads or tails out of these things.

4 COMMANDER ENNIS: Go ahead,
5 Ms. Jones.

6 MR. GOLDPAUGH: Is that
7 correct? Is that what we talked about?

8 MS. JONES: Yes, that's fine.

9 Q (By Ms. Jones) Going forward, in the DPD column,
10 where did you get those figures from?

11 A When it is highlighted in yellow, it is off of his
12 activity log and our payroll sheets. It is a
13 combination of payroll sheets, activity logs, daily
14 details I reviewed.

15 MS. JONES: That is why the
16 Board got the color copy.

17 COMMANDER ENNIS: We don't have
18 color copies.

19 MS. JONES: That's because she
20 has it right now.

21 THE WITNESS: Also, these three
22 here are the ones that we used in the criminal
23 trial. The one that I initially did also included
24 2008, and that was when there weren't activity logs,
25 that I went off of daily details.

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MS. JONES: Right, and I have that here, but I did not admit it. I didn't think that it was necessary.

Q (By Ms. Jones) So the time that you are looking at for Allen Academy, where did you get that information from?

A That information was taken off the employment records we received from Allen Academy through the search warrant.

Q To the very right column, you show number of hours total?

A Correct.

Q Some of those totals are more than a 24-hour period. Correct?

A Correct.

Q Can you explain to us what the other two charts would show us?

A The one document is showing the overlap with DPD strictly for our employment, that he was at one of those other two entities for the time period that is reflected. So in this first one for January 5, 2009, there was three hours and 35 minutes.

MR. GOLDPAUGH: She is pointing. I just want to know which document--

MS. JONES: It has three hours

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and 35 minutes under the first--

MR. GOLDPAUGH: The problem is that when she is pointing, saying "this document," the record doesn't know-- these are all Exhibit No. 7, but they are actually--

MS. JONES: We will make them A, B and C.

MR. GOLDPAUGH: I've got no problem with that.

MS. JONES: Exhibit No. 7-A was the first document which was the compilation, the horizontal one, the compilation of hours. I am putting it on here, 7-A.

MR. GOLDPAUGH: This one here?

MS. JONES: With 22 at the top line over to the right.

MR. GOLDPAUGH: Okay.

MS. JONES: Exhibit No. 7-B is a document that the top line ends in 335, three hours, 35. Exhibit C, which is actually the one that has been stamped officially here, the top line has a dash in it.

Q (By Ms. Jones) Referring to 7-B, can you explain what you were doing in that document when you created it?

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A This is showing the overlap strictly for DPD that Officer Collins was either at St. John's or Allen Academy, and that is during a time that he should have been with DPD.

Q So three hours and 35 minutes, he should have been at DPD, and he wasn't?

A Correct.

MR. GOLDPAUGH: I'm going to object as to when he was or wasn't there, because all she can testify to is how she came up with this. According to the documents that she reviewed, that is what she is saying occurred.

To say that's when he was and he wasn't there, we don't know where he was at these particular times. We just know what the documents show. I just want to make it clear.

COMMANDER ENNIS: Sustained.

MR. GOLDPAUGH: Thank you.

Q (By Ms. Jones) Activity logs are supposed to accurately reflect where you are at any given time. Correct?

A That's correct.

Q As far as you know, the ones that you reviewed had Officer Collins' signature on the majority of them if not all of them?

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A They did.

Q So what was the next document, 7-C, what was that supposed to show?

A This is showing an overlap with Allen Academy.

Q At some point in time, did you calculate total number of hours and total amount compensated where he was compensated for work that he allegedly did not perform?

A For DPD, yes, for 2009.

Q What document would that be?

A Looking at 7-B.

Q On 7-B, what amount do you show as being compensated?

A \$6,864.51.

Q How did you arrive at that calculation?

A I took his hourly pay rate off of his payroll registry and multiplied that by the hours.

Q That would have been his base pay versus any overtime?

A Correct, that's base pay.

Q There was some discussion as to working St. John's and working Allen Academy. Do you know if he had to punch in or punch out at either of the two places?

A At St. John's, there was a swipe card I believe. At Allen Academy, I don't recall what the method was.

49 (Pages 219 to 222)

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- 1 Q We just entered a couple of exhibits into the
2 record. It was something about Initiative Reports.
3 Can you explain what those are?
4 A I honestly don't know what Initiative Reports are.
5 Q Is it an official document of DPD?
6 A It is a document that was told to me by Sergeant
7 Mattie Lewis that this document existed. I
8 contacted Eastern District and spoke to the front
9 office and the commander, and they had never heard
10 of it. They had nothing filed, they had nothing
11 that they required as an Initiative Report.
12 Q Then how did she get these Initiative Reports to you
13 for the trial?
14 A She had printed them somewhere and brought them in.
15 I don't know where she got them from. I don't know.
16 Q Somehow, they weren't in the IA file. Can you
17 explain why?
18 A I turned them over to the prosecutor because, to me,
19 they were not official Department documents.
20 Q Are you aware that there was a football schedule
21 posted at the precinct?
22 A I was not aware of that.
23 Q At trial, they brought forward football schedules.
24 Do you know anything about the football schedules?
25 A I don't recall anything specific to me in the trial

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- 1 about a football schedule.
2 Q No, it wasn't to you. I just wondered if you knew.
3 A No.
4 MS. JONES: I think that is all
5 I have at the moment for you unless John goes
6 astray.
7 MR. GOLDBAUGH: I have every
8 intention of going astray. Don't worry about it.
9 CROSS-EXAMINATION
10 BY MR. GOLDBAUGH:
11 Q Lieutenant Walton, you indicated, I believe, that
12 there was some conversation regarding the Initiative
13 Reports. Correct?
14 A Yes.
15 Q Did you receive documentation or requests by defense
16 counsel, Mr. Evelyn, for these reports?
17 A Yes. I thought it was the prosecutor asking, but I
18 believe Gerald Evelyn asked through the prosecutor
19 who contacted me.
20 Q Subsequently, you received these documents. Is that
21 correct?
22 A Yes, and turned them over to the prosecutor.
23 Q I'm showing you what has now been admitted as
24 Association's Exhibit No. 15, it's four pages. On
25 the top left, there is a fax number, do you see

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- 1 that, and a date?
2 A Yes.
3 Q Does that indicate that was provided to at least
4 Internal Affairs in November of 2011?
5 A Yes. That's our fax number.
6 Q These deal with a time frame in April of 2007 and
7 2008, 2008 and 2008. Is that correct?
8 A I don't know. I didn't look at that.
9 Q I'm sorry.
10 A Yes.
11 Q Now, at that point in time, this was before the
12 trial started. Correct?
13 A Going by the date, yes.
14 Q In fact the trial started about a week after this
15 matter. Is that correct?
16 A Yes. I think it was December 5.
17 Q Do you recall when you got the initial request for
18 these documents from Mr. Evelyn?
19 A I do not.
20 MS. JONES: I have to place an
21 objection here. He mischaracterized her testimony.
22 She said she got it through the Prosecutor's Office
23 who got it from Evelyn.
24 MR. GOLDBAUGH: All right.
25 Q (By Mr. Goldpaugh) Do you recall when you got the

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- 1 call from the Prosecutor's Office regarding these
2 documents?
3 A I do not.
4 Q I apologize. Suffice it to say though, you got a
5 request for these documents. Correct?
6 A Yes.
7 Q And you then tried to track them down. Is that
8 correct?
9 A That's correct.
10 Q Would it be a fair statement that this request was
11 made, and then eventually you found nothing, and
12 then he showed up on your doorstep? Would that be a
13 fair statement?
14 A I don't remember how it went. I know that I had
15 contacted Community Relations, the main Community
16 Relations, checking with them if that was a report
17 through them. They didn't have it. Eastern didn't.
18 At some point, looking at that
19 document, it got faxed to us.
20 Q Who did it get faxed to?
21 A I don't know what that top fax number is.
22 Q That is what I was wondering. It says WCPA
23 Forfeiture, and it is a 224 number. Could that have
24 possibly been the Wayne County Prosecutor's Office?
25 I'm just asking the question.

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1 A I don't know.
 2 Q Once you got this-- okay?
 3 A Yes.
 4 Q Now, as part of the investigation into Jerome
 5 Collins, one of the individuals you were initially
 6 investigating was Mattie Lewis. Correct?
 7 A There was an investigation against Sergeant Mattie
 8 Lewis. Right.
 9 Q She was issued an investigative subpoena regarding
 10 Officer Collins as well as others, and that has
 11 already been placed on the record, and you were
 12 present at that investigation, correct, at that
 13 interview?
 14 A I was.
 15 Q You asked some questions?
 16 A I did.
 17 Q Subsequently, after that was completed, the warrant
 18 came down against Officer Collins. Is that correct?
 19 A I don't remember the time frame of how it all went.
 20 Q A short period of time. I mean the warrant was
 21 requested, and we already have on the record that it
 22 came down two or three months after the
 23 investigative subpoena, maybe two months at the
 24 most.
 25 Subsequently, there was a

1 Q Oh, you weren't present, okay. Now, was it you and
 2 the powers that be above Sergeant Svenkesen that
 3 made a determination that you were not going to
 4 Garrity Mattie Lewis initially but rather submit it
 5 for an investigative subpoena?
 6 A Initially, Mattie Lewis, we were looking at her
 7 criminally.
 8 Q So that was the reason why she wasn't given a
 9 Garrity interview initially?
 10 A Right, because she was a criminal suspect.
 11 Q I understand, and so that is why you directed the
 12 sergeant not to do a Garrity interview at that time.
 13 Correct?
 14 MS. JONES: Asked and answered.
 15 Q (By Mr. Goldpaugh) Would it be a fair statement
 16 that when the investigative subpoena-- strike that.
 17 When you prepared these
 18 documents which have now been marked 7-A, B and C,
 19 when were they prepared if you recall?
 20 A Prior to trial.
 21 Q Were they prepared prior to-- were they made part of
 22 the warrant request?
 23 A Not A, B and C. The one that I referenced earlier
 24 was.
 25 Q Right, and that dealt only with DPD and St. John's.

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1 Garrity interview of Mattie Lewis. Correct?
 2 A Yes.
 3 Q When you received these, did you question Mattie
 4 Lewis regarding them?
 5 A I don't recall questioning-- I don't recall if she
 6 did it in person or not or how I got them. It was a
 7 long time ago, I don't remember.
 8 Q Okay, but I guess my question is, once you got these
 9 documents which were a subject of the investigation
 10 with respect to Officer Collins, did you then
 11 continue to question Mattie Lewis regarding them
 12 because she was going to be a witness, I would
 13 assume, either for the Department or for the
 14 prosecution?
 15 A I did not.
 16 Q Did anybody, if you know?
 17 A Not that I'm aware of.
 18 Q Then you testified at trial regarding these, that we
 19 got them but we didn't know anything about them.
 20 I'm paraphrasing when you were questioned regarding
 21 this by Mr. Evelyn. Is that correct?
 22 A Yes.
 23 Q Then Mattie Lewis got up on the stand, and she
 24 testified. Right?
 25 A I wasn't present.

1 Is that correct?
 2 A Yes, because initially when we submitted, we only
 3 knew about St. John's and DPD.
 4 Q In fact would it be a fair statement that the only
 5 reason-- never mind, strike that.
 6 The warrant request that was
 7 issued was for one count of Larceny by False
 8 Pretenses, correct, and one count of Misconduct in
 9 Office?
 10 A Yes.
 11 Q It was after the exam in which Mr. Collins
 12 determined that he wanted to exercise that right
 13 that the Prosecutor added a charge. Would that be
 14 correct?
 15 A Because I didn't deal with the day-to-day, Sergeant
 16 Svenkesen was, I don't recall.
 17 Q But suffice it to say, there were three charges that
 18 he was acquitted on. Correct?
 19 A He was acquitted, yes.
 20 Q Of all charges. Right?
 21 A Yes.
 22 Q Now, my understanding from reviewing the trial
 23 transcript is that the way you compare this and the
 24 way you describe it is you took the hours on his
 25 activity log that he said he was working at a

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1 certain place, then took the hours that he swiped in
2 or out at St. John's and said that, well, if he was
3 here and here, there is an overlap. Is that
4 correct?

5 A That's correct.

6 Q You don't know where he physically was at any
7 particular time?

8 A I do not. I went off the documents.

9 Q Exactly. So if those documents are wrong as to the
10 times, then he could have put in eight hours at one
11 place and the other time at another place depending
12 on when he swiped in, when he swiped out, etcetera.
13 Is that right?

14 A I went by the documents, what they showed.

15 Q Exactly. Now, you talk about Allen Academy here,
16 but there was no overlapping of anything with
17 respect to Allen Academy, was there?

18 A Well, he was doing truancy work--

19 Q With respect to DPD.

20 A Yes, because he was working 11:00 to 7:00 or 12:00
21 to 8:00 for DPD and truancy 9:00 a.m. to 5:00 p.m.
22 at Allen Academy.

23 Q But was he doing it on a daily basis? You don't
24 know which days he was doing certain things. He
25 didn't get paid for nine hours at Allen Academy, did

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1 he?

2 A I went off of the hours that he submitted to Allen
3 Academy, which he has here sometimes 9:00 to 4:00,
4 yes.

5 Q But there was no-- his Allen Academy work as a
6 security officer was midnights, from 12:00 to 6:00
7 in the morning. Is that correct?

8 A As a security officer, he would start at like 11:00
9 and work midnights. Truancy was 9:00 a.m. to--

10 Q But it wasn't a straight 24-hour-- I mean it was
11 during a period of time that he may have delivered
12 some trancies or things like that. Would that be a
13 fair statement?

14 A According to Allen Academy, he worked from 9:00 a.m.
15 to 4:00 p.m. according to their documents, and that
16 is what I put him down as working.

17 Q That was five days a week?

18 A This is the days I have that overlapped. If he
19 didn't work DPD, I didn't count it.

20 Q Now, we have heard a lot of testimony about a
21 previous anonymous letter about a year before this
22 happened. Commander Dolunt came in and so did
23 Commander Moore, and they both said that they
24 received an anonymous letter regarding outside
25 employment by Officer Collins.

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1 Do you know anything about that
2 as part of your investigation?

3 A I do not.

4 Q Were you informed by Commander Stair or anyone else
5 of this previous anonymous note?

6 A I don't know about an anonymous note. I know that
7 Commander Dolunt told me that he had approached
8 Commander Stair prior about an issue with Officer
9 Collins.

10 Q Was that before or after this letter from
11 Ms. Catherine Jones?

12 A This was well into our investigation.

13 Q So would it be a fair statement that was the first
14 time that you learned about this previous
15 investigation or alleged investigation?

16 A During this investigation was the first time I found
17 out about that, yes.

18 Q If Commander Moore testified that they brought this
19 to Commander Stair's attention and that they finally
20 tracked down-- because nobody from your unit
21 notified them what the results were-- that they had
22 done surveillance and they found nothing, wouldn't
23 you think that the commander would have passed this
24 other information on to you as part of your
25 investigation into this alleged criminal activity?

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1 A I mean--

2 Q I will move on. Now, you testified at the trial
3 that this investigation was premised on an anonymous
4 note. Is that correct?

5 A My recollection, I think there was a name on it, but
6 we couldn't attribute it to anybody.

7 Q You mean you couldn't prove--

8 A That it was an actual person.

9 Q Because I know when you testified on direct, you
10 said, yes, this was an anonymous note that we
11 received, but it was actually signed, or at least
12 there was a name on there. Is that correct?

13 A Yes. My recollection, if I said anonymous, I must
14 have gotten--

15 Q I just wanted to make sure we weren't mixing the two
16 investigations up, that's all.

17 A No.

18 Q Now, did you use the daily detail sheets also in
19 compiling your documentation?

20 A As I was saying, there was a previous sheet that I
21 submitted to the Prosecutor's Office that included
22 2008.

23 MS. JONES: I think we need to
24 admit it as 7-D.

25 MR. GOLDPAUGH: I was just

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1 asking her if--

2 MS. JONES: He keeps
3 referencing it.

4 MR. GOLDPAUGH: No, I don't
5 think it has to be referenced. I just asked her if
6 she used the daily detail sheet in compiling this.
7 That's all I want to know.

8 THE WITNESS: I did because I
9 can explain to you off of that one. If it's
10 highlighted in yellow--

11 **Q (By Mr. Goldpaugh) I just wanted to know if you**
12 **used the daily detail. That's all I wanted to know.**

13 A If there wasn't an activity log, I used the daily
14 detail.

15 **Q Okay. So on that case, all of those are off of the**
16 **activity logs?**

17 A When it is highlighted in yellow.

18 **Q The exhibit that has been admitted.**

19 A There is a few that are not highlighted in yellow,
20 which means there wasn't an activity log for that
21 day.

22 **Q Okay, that's fine, and that only deals with 2009.**
23 **That's what I wanted to know. So anything before**
24 **that, if you prepared a document, and it's not an**
25 **exhibit, and I don't care about it, I just wanted to**

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1 know if you used that.

2 You did not use the time cards.
3 right? You did not use the time and payroll cards
4 with respect to your calculations?

5 A When you are saying payroll, what payroll cards are
6 you referring to?

7 **Q Does the timekeeper fill out certain paperwork?**

8 A The payroll registries? I did not use those.

9 **Q In fact who prepares the payroll registries if you**
10 **know?**

11 A The timekeepers. At that time, it was the
12 timekeepers at the Eastern District.

13 **Q If you know, where did the timekeeper get that**
14 **information if you know?**

15 A From the time book put in by the supervisor.

16 **Q The supervisor puts that in by way of activity logs**
17 **or other daily detail numbers. Right?**

18 A Yes.

19 **Q So whatever the supervisor puts into the time book,**
20 **all the timekeeper does is take those things out and**
21 **prepares those documents. Right?**

22 A Right, as days, afternoons or midnights. It is not
23 any specific hours.

24 **Q Right. So it doesn't go into a time frame of 2:00**
25 **to 10:00 or 1:00 to 7:00. It goes in midnights,**

1 days and afternoons for an eight-hour period.

2 Correct?

3 A Correct.

4 **Q Now, you said you didn't find any activity logs for**
5 **a period of time. Is that correct?**

6 A Correct.

7 **Q Did it come to your attention in your discussions as**
8 **part of the investigation that there was a time**
9 **period when Officer Collins, as well as a number of**
10 **other officers under the guidance of Sergeant Lewis,**
11 **were not doing activity logs?**

12 A Yes, there was a period where she was not--

13 **Q Making them do them.**

14 A Correct.

15 **Q And that, subsequently, she was directed to do so by**
16 **Commander Dolunt and Commander Moore for more**
17 **accountability. Would that be a fair statement?**

18 A Yes.

19 **Q In fact did it come to your attention while you were**
20 **investigating Sergeant Lewis as part of this**
21 **criminal activity that she admitted to filling out**
22 **other people's activity logs?**

23 A There was a specific detail that she admitted to
24 filling out activity logs for the officers.

25 **Q She said she did that because they were entitled to**

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1 slide time or something along those lines. Is that
2 correct?

3 A I don't remember--

4 **Q That they were getting paid for overtime because no**
5 **one was paying them overtime or something along**
6 **those lines, earned time that they had been taking.**

7 A Say your question again.

8 **Q I will strike that. But she did admit to doing**
9 **other people's activity logs. Right?**

10 A She did.

11 **Q So an officer gets paid not off his or her activity**
12 **logs but gets paid off the time and attendance**
13 **records and those cards. Is that correct?**

14 A It's a compilation of submitting your activity logs
15 that your supervisor--

16 **Q Supervisor then--**

17 A --daily detail time. There is a process.

18 **Q Oh, I know there is a process, but if there are no**
19 **activity logs to be accounted for, the supervisor is**
20 **saying yes, they worked and put in the time. So in**
21 **other words, the paper, the activity log, is not**
22 **what gets you paid. It is what your supervisor says**
23 **you should get paid for. Would that be a fair**
24 **statement?**

25 MS. JONES: Objection,

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1 convoluted question. Can we rephrase this?

2 MR. GOLDPAUGH: I don't know
3 why it's convoluted.

4 COMMANDER ENNIS: Did you
5 understand the question, Lieutenant?

6 THE WITNESS: The daily detail
7 gets submitted to a timekeeper also and, in the
8 district, they put the time in the time book. That
9 is ultimately reflecting that you're getting paid
10 for the timekeeper to put it in.

11 Q (By Mr. Goldpaugh) Right, but if there are not
12 activity logs for a period of time, and the
13 supervisor enters into the time book whether the
14 individual is working, that timekeeper then takes
15 those documents, and the person gets paid whether
16 there is an activity log there or not. Isn't that
17 true?

18 A Sure.

19 Q That's what I'm talking about. So when the
20 supervisor says that an individual worked his or her
21 eight hours and puts it into the time book, it
22 doesn't make any difference when those eight hours
23 were worked. Would that be a fair statement?

24 A No.

25 MR. GOLDPAUGH: Could I just

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1 Department Exhibit No. 17 I think we are at now.
2 (At 4:24 p.m., DX#17 marked)

3 MR. GOLDPAUGH: Objection as to
4 relevancy. Objection as to materiality, and
5 objection with respect to this should have all been
6 brought out in the case in chief and not on redirect
7 when she, in an attempt to explain certain things
8 which were not germane to my questioning, made this
9 order.

10 This has nothing to do with the
11 charges against this particular officer. He is
12 charged with the false statements from January of
13 2009 through November of 2009.

14 She has testified here that she
15 doesn't even have any of the activity logs, so we
16 don't know what it says on these activity logs, but
17 makes a determination that because the daily detail
18 may or may not say something, she made a
19 determination there was some overlap.

20 Clearly, this is not germane to
21 the charges, it's irrelevant, it's immaterial and
22 it's prejudicial at this point in time.

23 MS. JONES: Number one, it
24 doesn't matter when I present evidence as long as
25 the witness is still on the stand. So I don't know

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1 have one second?

2 COMMANDER ENNIS: Certainly.

3 MR. GOLDPAUGH: Nothing else of
4 this witness. Thank you.

5 MS. JONES: Just briefly.

6 REDIRECT EXAMINATION

7 BY MS. JONES:

8 Q You spoke upon direct and also upon cross-
9 examination of your initial report. I am going to
10 bring to you your initial report. You referenced a
11 comparison to St. John and DPD. Is that the report
12 you were referencing?

13 A Yes, it is.

14 Q What is different about that report and the other
15 three that have already been admitted?

16 A The ones that have already been admitted, A, B and
17 C, reflect 2009 when there was actual activity logs.
18 This one goes back to November of 2007 where I went
19 off of daily details because, prior to November of
20 2007, I couldn't even find a detail for the Eastern
21 District for Community Relations.

22 So this is all the documents.

23 It's a comparative for four days in 2007 through
24 2008 to 2009 and the overlap.

25 MS. JONES: Move to admit as

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1 what the third argument he mentioned was about.

2 As to relevancy and
3 materiality, if you look at Charge I and Charge II,
4 it speaks to November 2007 through 2009. So it is
5 material and relevant to these proceedings.

6 MR. GOLDPAUGH: Commander, also
7 from her own testimony, she said I didn't have any
8 activity logs. I didn't compare these with activity
9 logs. I compared daily details.

10 We all know that daily details
11 change without notice. There is no signatures.
12 These officers said, yes, I was there, I was there
13 for these times. They have called in and it didn't
14 get on the daily detail. The daily detail only says
15 what you are supposed to be doing in advance. Those
16 change all the time.

17 MS. JONES: That does not go to
18 admissibility, it goes to the weight that you wish
19 to give it.

20 MR. GOLDPAUGH: It also goes to
21 admissibility for the reasons that I have set forth.

22 COMMANDER ENNIS: I understand,
23 and I agree. I've got it referenced in three of the
24 charges. I will overrule the objection, and we will
25 give it the appropriate weight when we review the

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1 evidence.

2 (At 4:26 p.m., DX#17 received)

3 MS. JONES: One other question.

4 Q (By Ms. Jones) Counsel asked you about Mattie Lewis
5 and having to complete activity logs, that after she
6 was spoken to was when she started making them do
7 activity logs.

8 Prior to her being spoken to,
9 was it a requirement?

10 A Absolutely.

11 MS. JONES: Nothing further.

12 RE-CROSS-EXAMINATION

13 BY MR. GOLDPAUGH:

14 Q It was absolutely, but for two-and-a-half or three
15 years, Mattie Lewis didn't do that, did she?

16 A From the documents that we could find, no.

17 Q In fact for a number of years, the people at the
18 Eastern District didn't require that, did they?

19 A I have no idea.

20 Q Well, you talked about 2005, 2006, all those years,
21 there was no activity logs, is that correct, that
22 you could find?

23 A We did not locate activity logs prior to November
24 2007 for Officer Collins.

25 Q All the way back how far?

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1 A I don't recall. I didn't go and pull the documents
2 myself, members of Internal did. So I don't know.

3 Q Did you testify at the hearing that they went back
4 and looked all the way back to 2005?

5 A I believe that is when Officer Collins got
6 transferred to-- I think that's when they joined
7 together, five and nine.

8 Q So you went back to 2005, and they started looking
9 for them in 2005. Is that correct?

10 A It would make sense. I don't remember the exact
11 date.

12 Q During 2005, who was the commander at the Eastern
13 District; Commander Godbee?

14 A I don't recall who was the commander in 2005.

15 Q Was Deputy Chief Motley there after that in 2007?

16 A I know she was there. I don't know the exact time
17 frame.

18 Q Would it be a fair statement though that before
19 Commander Dolunt and Commander Moore became involved
20 with the Eastern District, the Ninth Precinct, that
21 it was being run by Deputy Chief Motley and,
22 previous to that, Commander at that time Godbee. Is
23 that correct?

24 A Yes.

25 Q That was a time when you found no activity logs for

1 Officer Collins. Is that correct?

2 A We started finding activity logs in January of 2009.

3 Q As part of your investigation, you learned or your
4 team learned from Commander Dolunt that all these
5 issues were raised with Deputy Chief Motley. Is
6 that right?

7 A I don't recall that.

8 Q Did you review the Garrity interviews that were
9 provided as part of this investigation?

10 A When I typed the final report, I reviewed the
11 synopsis that Sergeant Svenkesen had done, but I did
12 not listen to the Garrity interviews.

13 MR. GOLDPAUGH: Nothing else of
14 this witness.

15 REDIRECT EXAMINATION

16 BY MS. JONES:

17 Q As it relates to outside employment, what is the
18 policy as to outside employment?

19 MR. GOLDPAUGH: This is outside
20 the scope of direct examination or cross-
21 examination. I have not raised one issue about
22 outside employment with her.

23 MS. JONES: You raised to her
24 about St. John's and Allen Academy.

25 MR. GOLDPAUGH: I didn't ask

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1 her about outside employment. I talked about how
2 she came up with her calculations.

3 MS. JONES: Isn't that outside
4 employment?

5 MR. GOLDPAUGH: No. That went
6 to the calculations. It had nothing to do with
7 outside employment.

8 COMMANDER ENNIS: I will
9 sustain the objection. Pass to the Panel or pass to
10 the Board?

11 MS. JONES: Pass to the Panel.

12 COMMANDER ENNIS: Inspector?

13 INSPECTOR SROKA: Your analysis
14 that you did for 2007 to 2008 utilized the daily
15 details?

16 THE WITNESS: Yes.

17 INSPECTOR SROKA: Was that a
18 comparison against St. John's also and the Allen
19 Academy?

20 THE WITNESS: No. This initial
21 one was only for St. John's, because when I did
22 this, we only knew about St. John's.

23 INSPECTOR SROKA: Were there
24 overlaps in that document?

25 THE WITNESS: Absolutely.

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INSPECTOR SROKA: How much did that tally up to?

THE WITNESS: This tally came to \$15,506.54.

MR. GOLDPAUGH: My objection is on the record with respect to these documents.

COMMANDER ENNIS: Noted.

MR. GOLDPAUGH: I just wanted—

COMMANDER ENNIS: I understand. It's noted. Anything else?

INSPECTOR SROKA: No.

INSPECTOR BLACKMON: The chart that you did, was it in military time?

THE WITNESS: Yes.

INSPECTOR BLACKMON: So when we are looking at times and we see anything that is a

morning hour, based on what you are stating, based on the information you received, he would have been working in the mornings on three different occasions on several days?

THE WITNESS: Correct.

INSPECTOR BLACKMON: That's all I have.

COMMANDER ENNIS: You were involved in the investigative subpoena involving

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for the Goodfellow detail?

THE WITNESS: That is my recollection. This investigative subpoena was several years ago.

COMMANDER ENNIS: In the investigation in attempting to pull out activity logs for Officer Collins specifically, when did the first activity logs appear? When I say appear, from what date did you start to detect activity logs?

THE WITNESS: That was January 5, 2009.

COMMANDER ENNIS: Prior to January 5, 2009, were you able to locate any activity logs for Officer Collins?

THE WITNESS: No.

COMMANDER ENNIS: If you know, when Officer Collins was assigned to the Eastern District, when did he come into Community Relations?

THE WITNESS: I don't know that.

COMMANDER ENNIS: Do you know what his assignment was prior to that?

THE WITNESS: I do not know.

COMMANDER ENNIS: When you interviewed Sergeant Lewis, did she acknowledge that

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Sergeant Lewis?

THE WITNESS: I was.

COMMANDER ENNIS: She made some admissions as to preparing activity logs for Officer Collins?

THE WITNESS: It was for a specific-- I was doing an investigation involving an officer Kenya Borden who went on a Caribbean cruise, and Mattie Lewis gave her slide time for that but carried her on the detail.

They were handing out Goodfellow packages and, after the fact, they were told we need activity logs. So what Sergeant Lewis said she did was, for that specific detail, for the Goodfellows packages, she filled them out. It was only specific to this Goodfellow, not in general about activity logs.

COMMANDER ENNIS: Did she make any admissions to doing any other activity logs for any of the other-- well, specifically, for Officer Collins?

THE WITNESS: It was whoever was working the Goodfellows that day, or it was a number of days.

COMMANDER ENNIS: It was only

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she did not require her Community Relations officers to do activity logs?

THE WITNESS: Again, I did that Garrity interview three years ago. Yes, because she was charged with failing to-- departmentally, failing to require her officers to complete activity logs, and she received a 45-day suspension.

COMMANDER ENNIS: In your analysis and in your compilation of the number of hours and the payroll, did you ever pull W-2s? Do you know how much Officer Collins made for 2009 from Adams Academy and St. John's Hospital?

THE WITNESS: I don't think I had a W-2. Sergeant Svenkesen has all the documents that were in the file. So I'm not sure. I'm assuming in their payroll records, it would have shown his total for the year for those entities.

COMMANDER ENNIS: Does your compilation in these documents give me the total hours for the time periods here?

THE WITNESS: I totaled the overlap. I did not total-- the one total I have is on the one you have where at times he is working 27 hours in a 24-hour period. I didn't do a separate St. John's, he worked 80 hours this week.

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1 COMMANDER ENNIS: Exactly. You
2 did not do a--

3 THE WITNESS: I did not do that
4 on the Excel.

5 COMMANDER ENNIS: You didn't do
6 a separate Allen Academy or a St. John Hospital
7 saying that from this time period to this time
8 period, Officer Collins worked X number of hours.
9 You only concentrated on the overlap time.

10 THE WITNESS: Yes.

11 COMMANDER ENNIS: On your
12 documents, on these exhibits where you list the
13 dates and the time frames, if there was no conflict,
14 if he was not working DPD, you did not list those
15 dates that he was working either at Allen or at
16 St. John's.

17 THE WITNESS: Correct.

18 COMMANDER ENNIS: These are
19 only days where he worked at DPD on the same days
20 that he was working at Allen Academy or St. John
21 Hospital.

22 THE WITNESS: Right. If he was
23 on furlough with us, I didn't vet it.

24 COMMANDER ENNIS: Anything
25 else?

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1 INSPECTOR BLACKMON: One
2 question. In regard to Exhibit No. 7-A, you totaled
3 the number of hours per day, and some of them ranged
4 from 22 hours to 27 hours. Commander Ennis asked
5 you whether you know whether or not he was
6 compensated for that higher day for those total
7 hours. Would you know that?

8 THE WITNESS: He was
9 compensated, because these are all off the payroll
10 records.

11 INSPECTOR BLACKMON: So you
12 know he would have been paid for the 27 hours that
13 day?

14 THE WITNESS: Right. He would
15 have received a check from St. John's. We know from
16 their payroll records he worked that and was paid
17 it.

18 For DPD, he worked it and was
19 paid it. For Allen Academy, he worked it, and he
20 was paid it.

21 COMMANDER ENNIS: Any
22 additional questions?

23 MS. JONES: None from me.

24 MR. GOLDPAUGH: I have just
25 two.

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1 RE-CROSS-EXAMINATION

2 BY MR. GOLDPAUGH:

3 Q With respect to the Allen Academy aspects, we know
4 that you took the activity logs giving starting
5 times and ending times, correct, coming up with X
6 number of hours.

7 In your testimony, how did you
8 determine the time that he allegedly worked at
9 St. John's? Were there activity logs, or were there
10 swipe cards?

11 MS. JONES: I'm sorry, you said
12 Allen Academy, and then you went to St. John's.

13 Q (By Mr. Goldpaugh) I'm sorry, I meant St. John's.

14 A St. John's, again, it's been three years, but it was
15 whatever was brought from the search warrant.

16 Q You took the activity logs from DPD, I understand
17 that. With St. John's, what type of a document did
18 you have to show that he was allegedly at St. John's
19 for a period of time?

20 A That was their-- they had their swipe.

21 Q So when he came to work, he swiped a time clock?

22 A Yes.

23 Q He swiped a time clock, and when he checked out, he
24 swiped a time clock?

25 A Yes.

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1 Q So that was X number of hours for a particular day.
2 How about Allen Academy?

3 A It was their employment records, and I believe they
4 told us his hours were the midnight security and
5 then the day truancy.

6 Q So in other words, on the Allen Academy-- that is
7 what I wanted to clear up-- it was what they told
8 you he was supposed to be working?

9 A Yes, what they considered his working hours to be.

10 Q Right. So in other words, you didn't get an
11 activity log from Allen Academy for a particular
12 day?

13 A I don't recall reviewing an activity log. I don't
14 know what his documents were.

15 Q So in other words, if they said, well, this is what
16 we paid him because he was supposed to be working on
17 these particular days, or actually, this is what we
18 paid him because that's what we paid him to do, it
19 doesn't mean that he worked those particular hours
20 on that particular day with any documentation, just
21 what they said?

22 A I never physically saw him at work at Allen Academy.

23 Q Right, exactly, and that's what I mean. So from
24 that standpoint, he could have been getting paid for
25 a particular set of hours on a particular day but

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1 could have done that work on some other day. Would
2 that be a fair statement?

3 A Say that again.

4 Q In other words, let's suppose you have to go out and
5 do something as a truant officer-- I'm not talking
6 about the security aspects-- if he did the work on
7 one day as opposed to another day, it didn't make
8 any difference so long as he put in his eight hours.
9 Would that be a fair statement?

10 A According to their payroll records, they were paying
11 him for a specific day. That is what I went off of,
12 his records, this is the day you are working.

13 Q Okay, but you have no knowledge nor any evidence
14 that he was actually at Allen Academy for any of
15 those days he was paid. Would that be a fair
16 statement?

17 A I never physically saw him at Allen Academy.

18 Q But you have no documents that said he was working
19 other than they are telling you we paid him to be
20 here for this day?

21 A We have his employment records that we received from
22 Allen Academy.

23 MR. GOLDPAUGH: Nothing else.

24 REDIRECT EXAMINATION

25 BY MS. JONES:

1 resting?

2 MS. JONES: I rested.

3 MR. GOLDPAUGH: We rest.

4 MS. JONES: I believe we will
5 be doing closing arguments on Thursday.

6 COMMANDER ENNIS: Thursday
7 morning at 9:00?

8 MS. JONES: Yes, sir.

9 COMMANDER ENNIS: We are
10 adjourned till Thursday morning at 9:00.

11 (Adjourned to Thursday,
12 July 11, 2013 at 9:00 a.m.)
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1 Q His employment at Allen Academy were two separate
2 contracts. Correct, if you recall?

3 A He had the security job first, and then he picked up
4 the second job. I don't remember all the documents
5 though.

6 Q Do you recall documents showing the security time
7 sheets were at the bottom or at the top? One was at
8 the top, and one was at the bottom. Do you recall
9 that?

10 A It has been a very long time since I saw those.

11 MS. JONES: That's fine. The
12 Board has the documents, and they also have the
13 transcript.

14 COMMANDER ENNIS: Any
15 additional questions?

16 MS. JONES: I am through, sir.

17 COMMANDER ENNIS: Counsel?

18 MR. GOLDPAUGH: Nothing.

19 COMMANDER ENNIS: Thank you,
20 Lieutenant.

21 (Witness excused)

22 COMMANDER ENNIS: Do we have
23 any other matters to be addressed before we adjourn
24 till Thursday morning at 9:00?

25 MR. GOLDPAUGH: Are you

1 CERTIFICATION

2
3 STATE OF MICHIGAN)

4)

5 COUNTY OF OAKLAND)
6
7

8 I certify that this transcript, consisting
9 of 223 pages, is a complete, true and correct
10 transcript of the Trial Board proceedings and
11 testimony taken in this case on July 9, 2013.
12
13
14

15 7-13-13

16 *Tamara A. O'Connor*
17

18 Date TAMARA A. O'CONNOR, CSMR-2656, CER-2656
19 2385 Jakewood Drive
20 West Bloomfield, Michigan 48324
21

22 sd

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GARRITY INTERVIEW OF MATTIE LEWIS
IAS CASE NO. 10-017

LEWIS TODAY IS JULY 6, 2010. THE TIME IS APPROXIMATELY 10:55 A.M.

WE ARE AT 660 WOODWARD, SUITE 1650, FOR THE PURPOSE OF
INTERVIEWING SERGEANT MATTIE LEWIS, BADGE S-66,
ASSIGNED TO THE EASTERN DISTRICT, REGARDING IA CASE 10-
017, AN ALLEGATION OF TIME FRAUD AND NEGLECT OF DUTY.
SERGEANT LEWIS IS THE FOCUS OF THIS INVESTIGATION.
PRESENT ARE MYSELF, LIEUTENANT WHITNEY WALTON,
SERGEANT LEWIS AND ATTORNEY FRED WALKER.

WALKER FRED WALKER ON BEHALF OF SERGEANT LEWIS. SHE AND I
DISCUSSED THE GARRITY RIGHTS. SHE UNDERSTANDS HER
GARRITY RIGHTS AND SHE AND I SIGNED THE FORM SIGNIFYING
HER UNDERSTANDING AND WE ARE READY TO PROCEED.

WALTON AND SERGEANT LEWIS YOU UNDERSTAND YOU ARE BEING
ORDERED TO ANSWER THESE QUESTIONS TRUTHFULLY?

LEWIS YES MA'AM.

WALTON OKAY AND YOU UNDERSTAND ANY FALSE STATEMENTS CAN BE
USED AGAINST YOU?

LEWIS YES MA'AM.

WALTON OKAY WE'RE GONNA BE TALKING ABOUT ESSENTIALLY TWO
DIFFERENT IA CASES, BUT THE CASE FOCUSED AGAINST YOU, SO

EX 5

INVOLVING OFFICER BORDEN AND OFFICER JEROME COLLINS
OKAY? OKAY, SO I'M GONNA START WITH OFFICER BORDEN
AND THEN WE'LL TOUCH ON OFFICER COLLINS AFTER. OKAY,
LET'S JUST START WITH IN DECEMBER, OBVIOUSLY WE BOTH
KNOW THERE WAS AN ISSUE WITH OFFICER BORDEN WHERE
SHE WAS CARRIED WORKING BUT WAS ON A CARIBBEAN
CRUISE, CORRECT?

LEWIS

CORRECT

WALTON

RUN ME THROUGH YOUR UNDERSTANDING OF WHAT HAPPENED
AND WHY SHE WAS CARRIED WORKING

LEWIS

OFFICER BORDEN WAS CARRIED WORKING BECAUSE SHE HAD
WORKED OVERTIME AND HAD NOT BEEN COMPENSATED FOR IT

WALTON

I'M SORRY, ONE SECOND. OKAY WE'RE BACK ON THE RECORD.
I WENT TO GRAB THE BOOK THAT SERGEANT LEWIS HAD
PROVIDED THROUGH FRED WALKER. OKAY SORRY TO CUT YOU
OFF

LEWIS

...

WALKER

YOU SAID SHE HAD ACCUMULATED OVERTIME

LEWIS

SHE HAD ACCUMULATED OVERTIME THAT SHE WASN'T
COMPENSATED FOR. SO WHAT I DO IS PUT IT ON THE BOOK, LET
THE COMMANDER KNOW, PUT IT ON THE BOOKS AND SO SHE
CAN USE IT AT A LATER DATE

WALTON OKAY AND HOW MANY DAYS DID YOU CARRY HER WORKING
THAT SHE WASN'T THERE

LEWIS THREE DAYS

WALTON AND THOSE WERE WHICH DAYS

LEWIS IN DECEMBER

WALTON WHAT I CAN DO IS I'LL GIVE YOU A COPY OF SOME DETAILS.
THIS IS DECEMBER 4TH THROUGH 11TH

LEWIS OKAY

WALTON AND IF YOU LOOK, ARE THOSE SIGNED BY YOURSELF

LEWIS YEP

WALTON DECEMBER THE 8TH, 9TH AND THE 10TH. OKAY AND BY
LOOKING AT YOUR NOTEBOOK IS THIS GONNA REFRESH YOUR
MEMORY ABOUT THE TIME THAT SHE WAS OWED

LEWIS YES

WALTON OKAY, I'LL GIVE YOU YOUR NOTE BOOK TO TAKE A LOOK AT

LEWIS SHE WORKED AUGUST THE 22ND

WALTON AND WHAT WAS THAT, WHAT DID SHE DO IN AUGUST

LEWIS SHE TOOK THE KIDS TO SELFRIDGE AIR FORCE BASE WITH
SERGEANT PRIDE JOHNSON

WALTON OKAY

LEWIS IN NOVEMBER, DID I SAY AUGUST 22ND, OKAY, NOVEMBER THE
23RD, SHE DID THE GOODFELLOW BOX IN THE MORNING THEN

SHE DID THE . . IN THE EVENING. SHE WORKED A DOUBLE SHIFT BUT SHE WOULDN'T HAVE GOTTEN PAID FOR THE OVERTIME BUT WAS COMPENSATED TIME, OVERTIME THAT SHE WASN'T COMPENSATED FOR . . . ON THE 30TH, SHE WORKED. . . SHE WORKED FOUR HOURS OVERTIME. I TURNED THAT TIME INTO . . . GOING DOWNTOWN . . . TIME OFF. ON DECEMBER THE 4TH, SHE WENT THROUGH GOODFELLOW PACKAGES AND MADE SURE EVERYTHING WAS ACCOUNTED FOR THEIR DISTRIBUTION.

WALKER HOW LONG HAD. . . FOR?

LEWIS EIGHT HOURS.

WALTON AND THAT'S ALL THE NOTATIONS YOU HAVE THERE?

LEWIS YES.

WALTON OKAY. I INTERVIEWED OFFICER BORDEN AND ON DECEMBER 4TH, SHE WAS ACTUALLY IN FLORIDA. SHE FLEW OUT THAT DAY. SHE SAID SHE DID NOT WORK THAT DAY.

LEWIS BORDEN WORKED FRIDAY.

WALTON HER FLIGHT, SHE LEFT AND SHE WAS IN FLORIDA, SHE SAID. SHE SAID THAT SHE COMPLETED A RUN SHEET AT YOUR DIRECTION, BUT SHE DID NOT WORK THAT DAY.

LEWIS ON FRIDAY?

WALTON YES, AND SHE WAS CARRIED ON LEAVE ON EVERYTHING OTHER THAN DETAIL AND AN ACTIVITY LOG. DID YOU DIRECT HER TO

DO THE ACTIVITY LOG DOCUMENTING THAT SHE WAS WORKING
THAT DAY?

LEWIS: YES I DID.

WALTON: AND DID SHE WORK THAT DAY?

LEWIS: I COULD HAVE SWORN SHE DID.

WALTON: SHE SAID SHE WAS ON A FLIGHT TO FLORIDA FOR HER CRUISE
WHICH WAS LEAVING THE NEXT MORNING.

LEWIS: SHE WAS THERE THAT FRIDAY.

WALTON: SHE SAID SHE CAME IN, FILLED OUT THE LOG SHEET AND LEFT.

LEWIS: I COULD HAVE SWORN SHE WAS THERE. I KNOW HE WAS THERE
THAT FRIDAY.

WALTON: OKAY BUT BEING THERE AND WORKING EIGHT HOURS IS WHAT
WE'RE--OFFICER BORDEN SAID SHE DID NOT WORK EIGHT
HOURS THAT DAY.

LEWIS: OKAY. I WOULD HAVE TO SEE HER TIME SHEET.

WALTON: WHEN YOU SAY HER TIME SHEET.

LEWIS: I'M SORRY A RUN SHEET.

WALTON: AND FOR THE RECORD, I JUST HANDED HER-- SERGEANT LEWIS
A COPY OF OFFICER BORDEN'S ACTIVITY LOG FOR DECEMBER
4TH. IS THIS YOUR SIGNATURE ON THE ACTIVITY LOG?

LEWIS: YES IT IS.

WALTON: OKAY DOES THIS REFRESH YOUR MEMORY AS TO WHAT

HAPPENED THAT DAY.

LEWIS: I KNOW SHE WAS THERE THAT DAY. SHE WAS THERE.

WALTON: AND SHE SAYS SHE WAS ON A FLIGHT TO FLORIDA.

LEWIS: SHE COULDN'T HAVE BEEN BECAUSE SHE WAS THERE.

WALTON: OKAY SO ARE YOU SAYING THAT OFFICER BORDEN LIED ABOUT WHEN HER FLIGHT LEFT OR?

LEWIS: I THOUGHT HER FLIGHT LEFT THAT SATURDAY.

WALTON: NO THE CRUISE LEFT SATURDAY AT LIKE 9:00 A.M.

LEWIS: ...SHE WAS THERE FRIDAY.

WALTON: I CAN ONLY TELL YOU THAT SHE SAID SHE WAS ON HER FLIGHT WHICH SHE ARRIVED IN FLORIDA WHEN IT WAS DAYLIGHT OUT.
LEWIS: OKAY.

WALTON: AND THIS WAS DECEMBER WHICH MEANS THAT IT GETS DARK EARLY. SHE SAID SHE LEFT IN THE MORNING. SHE DID NOT WORK THOSE EIGHT HOURS AND THIS WAS, SHE SAID THIS WAS ONE OF THE DAYS THAT SHE WAS GIVEN OFF FOR HAVING WORKED OTHER TIME. AND THAT YOU DIRECTED HER TO COMPLETE THE ACTIVITY LOG TO ACCOUNT FOR THIS DAY.

LEWIS: I DID.

WALTON: AND YOUR EXPLANATION IS?

LEWIS: AND I'M TRYING BUT I THINKS HE WAS THERE THAT FRIDAY.

WALTON: AND AS I SAID, SHE IS CLAIMING SHE CAME IN, DID HER LOG

SHEET AND LEFT

WALTON I MEAN I GUESS

WALKER IT'S ONE OF THOSE THINGS

WALTON IS THIS YOUR WRITING ON THE DAILY DETAIL? SHOWING
OFFICER BORDEN WRITTEN IN PEN WORKING 8:00 A.M. TO 4:00
P.M.

LEWIS RIGHT, IT IS.

WALTON AND IN REGARDS TO GOING BACK TO THE AUGUST 22ND
SELFRRIDGE AIR FORCE BASE, HOW DID THAT COME ABOUT THAT
SHE WORKED EIGHT HOURS OVERTIME?

LEWIS SERGEANT PRIDE JOHNSON SAID HE NEEDED HER TO GO WITH
HIM TO TAKE THE KIDS TO THE AIR FORCE BASE

WALTON WHO DID HE SAY THAT TO?

LEWIS HE SAID THAT TO ME.

WALTON AND HOW IN PERSON, ON THE PHONE?

LEWIS ON THE PHONE, AND I TOLD HIM I'D HAVE TO CHECK WITH THE
COMMANDER. . . SAID THE SAME THING, SERGEANT PRIDE
JOHNSON TOLD ME TO GO TO THE AIR FORCE BASE WITH HIM. I
CHECKED WITH THE COMMANDER AND HE SAID WELL YOU
KNOW YOU CAN'T PAY HER OVERTIME FOR IT... GIVE HER
THAT TIME AT A LATER DATE

WALTON WHICH COMMANDER WAS THAT?

LEWIS (INAUDIBLE)

WALTON OKAY AND I'VE INTERVIEWED SERGEANT JOHNSON AND HE DENIED THAT HE EVER HAD A CONVERSATION WITH YOU REGARDING THIS. HE SAID THAT HE SPOKE DIRECTLY WITH OFFICER BORDEN AND SAID THAT HE WAS TAKING, HE VOLUNTEERED HIS TIME ALONG WITH A BUNCH OF OTHER PEOPLE, THIS WAS NOT A DEPARTMENT-SANCTIONED EVENT AND THAT OFFICER BORDEN SAID SHE WOULD SPEAK TO YOU AND I HAVE INTERVIEWED OFFICER BORDEN AND SHE SAID SHE SPOKE TO YOU.

LEWIS CAN I...

WALTON SURE.

LEWIS AND SHE'S RIGHT. SHE CAME BACK AND SHE TALKED TO ME AND I TALKED TO COMMANDER DOLUNT

WALTON SO YOU DID NOT SPEAK TO

LEWIS DID NOT SPEAK TO PRIDE JOHNSON

WALTON DO YOU KNOW WHERE PRIDE JOHNSON WORKS

LEWIS HE WORK AT TRAINING. TRAINING.

WALTON AND SO IN ANY WAY IS THAT TIED INTO THE EASTERN DISTRICT?

LEWIS NO. NOT THAT I KNOW OF.

WALTON WHY WAS OFFICER BORDEN SET TO WORK WHEN TRAINING IT

LEWIS

ISN'T TIED INTO EASTERN DISTRICT, IT WAS HER LEAVE DAY
BECAUSE HE HAD ASKED IF HE COULD. HE ASKED HER IF SHE
COULD DRIVE THE KIDS. AND HE NEEDED HER HELP AND SHE
DIDN'T HAVE ANY MORE LEAVE DAYS. NORMALLY I WOULD
HAVE SWITCHED HER LEAVE DAYS. SHE DIDN'T HAVE ANY
MORE LEAVE DAYS.

WALTON

AND WHY DIDN'T YOU JUST SAY NO?

LEWIS

BECAUSE NORMALLY WHEN IT'S COMING FROM THAT
DIRECTION, I KIND OF LOOK AT IT COMING FROM THE CHIEF.

WALTON

WHAT DIRECTION ARE YOU TALKING ABOUT

LEWIS

TRAINING

WALTON

DOES TRAINING WORK FOR THE CHIEF? I MEAN DIRECTLY

LEWIS

NO, I DON'T THINK SO.

WALTON

THEY DON'T, SO WHY WOULD YOU, I MEAN IT WAS SERGEANT
JOHNSON TALKING TO OFFICER BORDEN WHO THEN TALKED TO
YOU. I MEAN HE IN NO WAY AM I CORRECT CAN AUTHORIZE
WHAT HAPPENS AT THE EASTERN DISTRICT

LEWIS

EXACTLY

WALTON

AND AS OFFICER BORDEN'S SUPERVISOR AT THE EASTERN
DISTRICT, YOU HAVE MORE CONTROL OVER IT CORRECT

LEWIS

(INAUDIBLE)

WALTON

SO WHY DIDN'T YOU JUST SAY NO

LEWIS BECAUSE HE NEEDED HER HELP AND I WANTED TO HELP HIM OUT AND SHE WANTED TO HELP HIM OUT AND THE ONLY WAY I COULD GET HER APPROVED WAS TO GO THROUGH THE COMMANDER.

WALTON AND YOU SAID YOU SPOKE TO COMMANDER DOLUNT?

LEWIS YES MA'AM.

WALTON AND IF COMMANDER DOLUNT SAID NO YOU DID NOT, IS COMMANDER DOLUNT LYING?

LEWIS YES MA'AM.

WALTON SO JUST RECOUNTING, YOU DID NOT SPEAK TO SERGEANT JOHNSON

LEWIS I DID NOT SPEAK TO SERGEANT JOHNSON. . . SPOKE TO SERGEANT JOHNSON

WALTON FOR DECEMBER 4TH I'M GIVING YOU THE DAILY DETAIL, THE 8TH 9TH AND 10TH THAT OFFICER BORDEN IS CARRIED WORKING, ARE THOSE YOUR SIGNATURES?

LEWIS YES MA'AM.

WALTON AND DID YOU PREPARE THOSE DAILY DETAILS FOR THE 8TH, 9TH AND 10TH? ARE THOSE YOUR SIGNATURES ON THE LOGS

LEWIS YES MA'AM

WALTON WHEN WERE THOSE ACTIVITY LOGS COMPLETED?

LEWIS THESE ACTIVITY LOGS WAS COMPLETED THAT NEXT WEEK, NOT

THE FIRST WEEK OF DECEMBER, BUT HE SECOND WEEK.
LIEUTENANT DOLUNT, NOT DOLUNT, LIEUTENANT WILLIAMS
SAID SHE NEEDED DETAILS ASAP SO I PICKED UP A STACK OF
RUN SHEETS, TOOK THEM OVER TO THE CHURCH AND PUT THEM
ON...

WALTON

HAD THEY NOT DONE ACTIVITY LOGS

LEWIS

NEVER DONE ACTIVITY LOGS FOR BEING ASSIGNED OUT.

WALTON

OKAY AND WHEN YOU DROPPED OFF THE ACTIVITY LOGS WERE
THEY BLANK?

LEWIS

THEY WERE BLANK.

WALTON

AND WHEN YOU RECEIVED THEM BACK DID YOU READ THEM?

LEWIS

NO 'CAUSE SHE SAID SHE WANTED THEM RIGHT AWAY SO I JUST
SIGNED THEM AND HANDED THEM TO HER

WALTON

OKAY AND ON ALL THOSE ACTIVITY LOGS AS RECEIVING OR
REVIEWING AS A SUPERVISOR; YOU DATED THEM FOR THE DATE
THEY WERE GIVEN TO YOU IS THAT CORRECT? SO THEY WERE
ACTUALLY COMPLETED THE WEEK OF DECEMBER 14TH BUT
YOU SIGNED THOSE LIKE THE 9TH, IS SIGNED THAT YOU READ
AND REVIEWED IT ON THE 9TH?

LEWIS

RIGHT.

WALTON

OKAY SO THAT'S FALSE CORRECT?

LEWIS

YES. BECAUSE I WAS ALWAYS TOLD BY THE DOJ THEY SAY
WHAT TIME I GOT THEM AND SHE SAID THE TIME THAT I
REVIEWED THEM PUT THE TIME THAT I REVIEWED THEM ON
THERE.

WALTON

RIGHT WHICH

LEWIS

BUT I REVIEWED THEM A WEEK LATER

WALTON

YOU WERE TOLD, WELL BY THE DEPARTMENT RULES AND
REGULATIONS, YOU'RE SUPPOSED TO RECEIVE A LOG SHEET THE
DAY OF AND REVIEW IT WITHIN 24 HOURS.

LEWIS

EXACTLY

WALTON

OKAY BUT IF YOU'RE INSTRUCTING PEOPLE TO DO THEM A
WEEK LATER, ARE YOU SAYING THAT SOMEBODY INSTRUCTED
YOU TO ADJUST THE DATES?

LEWIS

NO PREVIOUSLY WHEN I'VE DONE RUN SHEETS AND I WOULD DO
THEM THE TIME THAT I REVIEWED THEM SHE WOULD ALWAYS
TELL ME THE DATES I . . WAS WRONG, SO I PUT THE DATE ON
THERE ACCORDING TO WHAT SHE WOULD ASK FOR

WALTON

WELL, THE RULES AND REGULATIONS SAY YOU HAVE TO
RECEIVE IT THE DAY IT'S COMPLETED AND REVIEW IT WITHIN 24
HOURS, BUT IF YOU DIDN'T DO THAT, WHY WOULD YOU
ESSENTIALLY FALSIFY THE ENTRY

LEWIS

IT'S AN ERROR ON MY PART

WALTON AND . . . TO ONE OF YOUR LOGS. OKAY AND THIS IS FOR
DECEMBER 8TH, 2009, YOUR ACTIVITY LOG IS THAT CORRECT?

LEWIS THAT'S CORRECT.

WALTON AND CAN YOU READ ME THE ENTRY FOR 11:45?

LEWIS 11:45...AND EAST OUTER DRIVE . . PICKED UP . . .

WALTON AND WHAT DOES THAT ENTRY MEAN TO YOU

LEWIS THAT I WENT TO THE LOCATION. . .

WALTON AND THAT YOU SAW THOSE OFFICERS

LEWIS I SAW ALL THE OFFICERS, EXCEPT OFFICER BORDEN

WALTON OKAY BUT SHE IS LISTED ON YOUR LOG RIGHT

LEWIS YES. . .

WALTON I DON'T UNDERSTAND, EXPLAIN THAT TO ME

LEWIS SHE IS ON THE DAILY DETAIL, SO I PUT HER FROM THE DAILY
DETAIL ONTO THE LOG SHEET. THAT'S WHEN I WENT BY THE
DAILY DETAIL, BUT I DIDN'T SEE HER AT 8131 EAST OUTER
DRIVE, BECAUSE SHE WASN'T THERE.

WALTON OKAY SO WHY WOULD YOU EVEN PUT HER ON YOUR LOG?

LEWIS BECAUSE THAT'S THE WAY I'VE ALWAYS DONE IT. THAT'S THE
WAY I WAS TRAINED TO DO IT AT THE DISTRICT.

WALTON TRAINED BY WHO? SOMEBODY TRAINED YOU TO FALSIFY
DEPARTMENT RECORDS?

LEWIS NO MA'AM.

WALTON WELL WHO TRAINED YOU AND I GUESS WHAT ARE YOU
TALKING ABOUT HOW THEY TRAINED YOU

LEWIS .. THE WAY TO CARRY OFFICER BORDEN WORKING SINCE SHE
WASN'T WORKING IN ORDER FOR HER TO GET PAID FOR IT

WALTON BUT YOU SHOULDN'T HAVE CARRIED HER

LEWIS I SHOULDN'T HAVE

WALTON WORKING WHEN SHE'S NOT THERE.

LEWIS RIGHT.

WALTON SO YOU UNDERSTAND THAT THIS JUST LOOKS LIKE YOU'RE
AGAIN TRYING TO COVER UP FOR WHAT YOU WERE DOING BY
SAYING SHE'S THERE. THE DAILY DETAIL IS SAYING SHE IS
THERE. IT LOOKS LIKE YOU'RE TRYING TO COVER UP YOUR
OWN MISCONDUCT RIGHT?

LEWIS AND I'M NOT AND I REALLY, I THOUGHT I WAS DOING IT THE
RIGHT WAY.

WALTON WELL THE RIGHT WAY WOULD HAVE BEEN TO CARRY HER ON
VACATION BECAUSE SHE'S ON A CRUISE CORRECT?

LEWIS RIGHT

WALTON AND YOU SAID SOMEBODY TRAINED YOU TO DO THAT. WHO
TRAINED YOU TO DO THAT?

LEWIS THAT'S THE WAY THEY ALWAYS DO IT AT THE DISTRICT. I'VE
SEEN THE LIEUTENANTS DO IT. CARRY OFFICERS WORKING ON

THE SHEETS WHEN THEY WASN'T WORKING.

WALTON

OKAY SO WHO, DO YOU HAVE A SPECIFIC EXAMPLE OF WHO?

LEWIS

LIEUTENANT ... THE OFFICER WOULD COME IN AND LEAVE AND
THEY WOULD COMPLETE THE RUN SHEET

WALTON

SO THEY WEREN'T THERE THE WHOLE DAY OR

LEWIS

NO

WALTON

I WANT TO GET BACK TO YOUR NOTEBOOK THAT YOU
PROVIDED ME. OR ACTUALLY I'M GONNA START WITH. IN
REGARDS TO OVERTIME YOU SAID THAT BOTH COMMANDER
DOLUNT AND INSPECTOR KYRIACOU TOLD YOU THAT THEY
COULDN'T OR WOULDN'T PAY OVERTIME?

LEWIS

SAID CAN'T GET OVERTIME ... GOING DOWNTOWN

WALTON

MEANING DID THEY ELABORATE MORE?

LEWIS

NO THEY DID NOT. ASKED KENYETTA SHE MIGHT TAKE SOME
TIME OFF AND I ASKED HER, SHE SAID YES

WALTON

OKAY BUT OVERTIME DOES GET APPROVED DOESN'T IT

LEWIS

NOT COMMUNITY RELATIONS

WALTON

WELL I HAVE ALL THE RECORDS AND PEOPLE DO GET PAID
OVERTIME

LEWIS

THAT'S OVERTIME IF YOU MAKE AN ARREST.

WALTON

AND THE 6 MONTHS PRIOR TO THIS, YOU YOURSELF MADE 213
HOURS OF OVERTIME.

LEWIS I WAS WORKING ANOTHER SHIFT. WHEN THEY WERE SHORT ON
the SHIFT, THEY WERE CALLING ME FOR OVERTIME AND I
WORKED OVERTIME ON THE SHIFT.

WALTON THERE'S OTHER OVERTIME ON HERE FOR OFFICERS, THAT THEY
GOT PAID FOR.

LEWIS THAT WAS JUST IF THEY WERE IN COURT.

WALTON NO THERE'S OTHER OVERTIME.

LEWIS A COUPLE OF THEM GOT PAID OVERTIME IF THEY WAS
WORKING AND IF THEY WERE IN COURT AND THEY CAME BACK
FROM COURT LATE AND ONLY IF IT WAS ON AN ARREST.

WALTON LET'S

LEWIS AND THE ONLY OTHER OVERTIME WAS WHEN THEY WORKED A
SHIFT

WALTON LET'S START WITH OFFICER CURTIS OKAY? AND IT HAS DOWN
THERE ON AUGUST 4TH, THAT SHE WORKED ONE HOUR
OVERTIME IS THAT CORRECT?

LEWIS THAT'S CORRECT.

WALTON ARE YOU TRYING TO READ UPSIDE DOWN THERE, BECAUSE I'M
TRYING TO

LEWIS ...

WALTON I'M SORRY. OKAY, NOVEMBER 4TH. OKAY IT'S A LITTLE BIT
OUT OF ORDER HERE. SO AUGUST 4TH, YOU HAVE ONE HOUR

OVERTIME. OKAY SO HERE'S THE LOG SHEET AND THEN I ACTUALLY HAVE TWO FOR OFFICER CURTIS. NOW THIS ONE, THE FIRST ONE I HANDED YOU IS AUGUST 4TH AND SHE'S ON THERE WITH OFFICER ROBBINS AND OFFICER COLLINS AND IT DOCUMENTS THAT THEY WORKED 2:00 P.M. TO 10:00 P.M. FOR I BELIEVE IS A . . .

LEWIS YES

WALTON WHICH IS SIGNED AND APPROVED BY YOURSELF AT OFF DUTY IS THAT CORRECT?

LEWIS THAT'S CORRECT

WALTON AND THEN THERE'S A SECOND LOG HERE WHICH DOCUMENTS DIFFERENT HOURS THAT SHE WORKED THAT'S NOT SIGNED BY YOU. IS THAT CORRECT?

LEWIS THAT'S CORRECT

WALTON OKAY SO DID SHE WORK, WHAT HOURS DID SHE WORK AND

LEWIS SHE WORKED ALL DAY THAT DAY. SHE WORKED FROM 1:00 TO 11:00

WALTON OKAY THEN WHY IS THERE THIS LOG SHEET THAT SHE SIGNED THAT YOU RECEIVED AT 10:00 O'CLOCK OFF DUTY

LEWIS WE DIDN'T GET OFF THAT DAY AT 10:00 O'CLOCK

WALTON THEN WHY IS THAT SIGNED AUGUST 4TH AT 10:00 P.M. AND IT DOCUMENTS THAT AUDREY CURTIS IS OFF DUTY AT 10:00 P.M.?

LEWIS THAT'S A MISTAKE ON MY PART, BUT WE DID NOT GET OFF AT
10:00 THAT NIGHT. . . WE WERE THERE PAST 12:00 O'CLOCK

WALTON THEN I GUESS WHY ISN'T THIS BEING DOCUMENTED? FROM
HERE IT SAYS 2:00 TO 10:00 AND AT 10:00 O'CLOCK YOU'RE
SAYING YOU RECEIVED IT SO THEY'RE DONE?

LEWIS THAT'S NOT RIGHT.

WALTON OKAY. LET'S SEE, NOVEMBER 4TH FOR, AGAIN, OFFICER CURTIS.
AND YOU HAVE TWO

WALKER I'M SORRY, WHAT DATE WAS THE OTHER ONE

WALTON THE FIRST ONE WAS AUGUST 4TH.

WALKER ALRIGHT.

WALTON AND THIS ONE IS NOVEMBER 4TH. TWO HOURS OVERTIME IS
THAT CORRECT?

LEWIS THAT'S CORRECT.

WALTON HERE'S A COPY OF OFFICER CURTIS' LOG SHEET FOR THAT DATE.
AND I BELIEVE IT DOCUMENTS THAT SHE WORKED 11:00 TILL
2:00 AND WENT HOME SICK AT 2:00 O'CLOCK IS THAT CORRECT?

LEWIS THAT'S CORRECT.

WALTON OKAY IF SHE WENT HOME SICK, HOW DID SHE WORK TWO
HOURS OVERTIME? DO YOU HAVE AN ANSWER FOR THAT?

LEWIS SHE ALWAYS COME IN AND WORK. WHEN SHE LEAVE, SHE
CAME, BACK, SHE CAME BACK THE NEXT DAY AND SHE

WORKED OVER FOR TWO HOURS.

WALTON I'M SORRY

LEWIS I MEAN I MIGHT HAVE THE DATES WRONG, BUT SHE WORKED THOSE HOURS ON THE ABANDONED CARS.

WALTON SO YOU DON'T HAVE AN EXPLANATION FOR THE --FOR IT OTHER THAN IT'S A MISTAKE.

LEWIS YES IT IS.

WALTON OKAY SO MOVING AGAIN TO OFFICER CURTIS, NOVEMBER 7TH ONE HOUR OVERTIME. THERE'S NO LOG SHEET BUT I HAVE A DAILY DETAIL WHERE OFFICER CURTIS IS ON LEAVE IS THAT OFFICER CURTIS CAME IN ON THAT DAY.

LEWIS

WALTON DID SHE COMPLETE ANY PAPERWORK FOR THAT?

LEWIS I HAVE HER DOING THE ABANDONED CARS. IT WOULD HAVE TO BE THE CARS, PUT THEM IN THE COMPUTER FOR THE . . . SHE CAME IN FOR THAT.

WALTON HOW DO YOU KNOW THAT? SHE'S ON LEAVE THERE. THERE'S NO ACTIVITY LOG, NO PAPERWORK COMPLETED, SHOWING THAT SHE WAS THERE.

LEWIS SHE CALLED AND TOLD ME SHE WAS THERE. I WASN'T THERE. NORMALLY IF I'M NOT THERE, THEY HAVE TO CALL AND LET ME KNOW THEY'RE IN.

WALTON AND YOU DON'T REQUIRE THEM TO COMPLETE ANY

PAPERWORK TO SHOW THAT THEY WERE THERE?

LEWIS NORMALLY I DO, BUT IF THEY JUST COME IN ON THEIR TIME--ON THEIR REGULAR LEAVE DAY, I DON'T.

WALTON AND HOW DO YOU KNOW SHE WAS THERE?

LEWIS SHE CALLED AND TOLD ME SHE WAS THERE. I CAN ONLY GO BY THE PHONE CONVERSATION.

WALTON SO YOU JUST TRUST THAT SHE WENT?

LEWIS I HAVE TO.

WALTON OKAY, AND AGAIN FOR OFFICER ROBBINS SHE WAS ON THE OTHER LOG SHE, WE'RE GOING ON HER ENTRY IS AUGUST 4TH IS THAT CORRECT?

LEWIS THAT'S CORRECT.

WALTON AND THE LOG I HAVE FOR HER SHOWS THAT SHE WAS WORKING 12:00 TO 10:00

LEWIS SHE WAS WORKING 2:00 TO 10:00 BUT SHE ALSO GETS SCHOOL CROSSINGS. WE DIDN'T GET OFF AT 10:00 THAT DAY EITHER, . . NIGHT OUT DAY, WE DIDN'T GET OFF AT 10:00

WALTON OKAY WHEN DID SHE DO THE SCHOOL CROSSING FOR TWO HOURS?

LEWIS SHE DID SCHOOL CROSSINGS. THERE WAS NO SCHOOL IN AUGUST. THAT'S A MISTAKE ON THAT ONE, THERE WAS NO SCHOOL IN AUGUST.

WALTON OKAY SO, SO FAR WE HAVE FOUR MISTAKES OUT OF FOUR ENTRIES? IS THAT CORRECT?

LEWIS THAT'S CORRECT.

WALTON OKAY SO THERE'S NO SCHOOL THERE, THEY DID . . NIGHT OUT? OKAY NOW WE'RE MOVING ON TO OFFICER RIOS. OKAY FOR SEPTEMBER 15TH, YOU HAVE TWO HOURS OVERTIME ON ABANDONED ENTRY. HERE IS HIS LOG FOR SEPTEMBER 15TH AND YOU DOCUMENTED ON THERE ONE HOUR OVERTIME CORRECT? THIS IS PAGE TWO

LEWIS YES IT IS THAT'S A MISTAKE, YES HE DID.

WALTON SO NOW ON OVERTIME HE HAS THAT HE WAS IMPOUNDING A CAR, NOT ABANDONED ENTRIES ON THAT LOG SHEET.

LEWIS THAT'S AN ABANDONED CAR.

WALTON WELL YOU HAVE HERE THAT HE IMPOUNDED A CAR FOR PROPER OWNERSHIP.

LEWIS THAT'S AN ABANDONED CAR.

WALTON SO HE WORKED ONE HOUR NOT TWO HOURS?

LEWIS HE WORKED ONE HOUR THAT DAY.

WALTON SO THAT'S ANOTHER MISTAKE?

LEWIS YES MA'AM.

WALTON AND NOW YOU HAVE SEPTEMBER 22ND, ONE HOUR OVERTIME. I'LL GIVE YOU OFFICER RIOS' LOG SHEET. OH I'M SORRY THIS

ONE HERE, THAT LAST LOG SHEET IT WAS, THESE LOG SHEETS
HAVE ALL BEEN SIGNED BY YOU
LEWIS RIGHT.
WALTON AND YOU HAVE YOUR NOTEBOOK FOR SEPTEMBER 22ND, ONE
HOUR OVERTIME ABANDONED ENTRIES?
WALTON YEAH HE WAS IN THE OFFICE THAT DAY.
WALTON WHAT DOES HIS LOG SAY, DOES IT NOT SAY 6:00 A.M TO 2:00
P.M.
LEWIS IT SAYS 6:00 TO 2:00, BUT HE DOESN'T HAVE HIS OFF DUTY TIME
ON THERE.
WALTON OKAY LET'S LOOK AT THE FRONT AND DID YOU RECEIVE THIS?
LEWIS YES I DID.
WALTON WHAT TIME DID YOU RECEIVE IT.
LEWIS I RECEIVED THIS AT 2:00 O'CLOCK. BUT HE WAS STILL IN THE
OFFICE.
WALTON SO IT'S NOT DOCUMENTED ANYWHERE, SO I'M JUST TAKING
YOUR WORD THAT
LEWIS HE WAS STILL IN THE OFFICE, BECAUSE NORMALLY HE WAS
WALTON SO IS THIS ANOTHER MISTAKE
LEWIS HE JUST DIDN'T DOCUMENT IT ON HIS RUN SHEET.
WALTON WELL I GUESS HOW DO I KNOW THAT THAT ACTUALLY
HAPPENED?

LEWIS BECAUSE IT'S NOT DOCUMENTED ANYWHERE, YOU DON'T.

WALTON OKAY NOW WERE UP TO OCTOBER 6TH FOR OFFICER RIOS. YOU HAVE AN HOUR OVERTIME AND AGAIN ALMOST IDENTICAL LOT SHEET TO THE OTHER ONE. 6:00 TO 2:00 AND YOU RECEIVED IT AT 2:00 IS THAT CORRECT?

LEWIS THAT'S CORRECT.

WALTON WHERE IS THE HOUR OVERTIME?

LEWIS IT'S NOT ON THERE. NORMALLY HE TURN IN HIS RUN SHEET BUT HE STILL THERE WORKING ON ABANDONED CARS.

WALTON BUT IT'S NOT DOCUMENTED ANYWHERE?

LEWIS EXACTLY.

WALTON MOVE ON TO OFFICER HAWKINS. YOU HAVE DOWN ONE HOUR OVERTIME AND THIS IS YOUR BOOK THAT SHOWS YOU OWE THESE PEOPLE THE TIME CORRECT?

LEWIS RIGHT.

WALTON OKAY SO HERE'S OFFICER HAWKINS AND HE DOES HAVE AN HOUR. IS THAT CORRECT ON THERE?

LEWIS THAT'S CORRECT.

WALTON OKAY LET ME JUST SHOW YOU. THAT WAS OFFICER HAWKINS FOR MAY 6TH. . . OFFICER HAWKINS ON THAT WORK PERIOD TIME REPORT FOR MAY 6TH? DOES IT SHOW THAT HE GOT PAID ONE HOUR OVERTIME?

LEWIS YES HE GOT PAID ONE HOUR OVERTIME.

WALTON OKAY ON HIS LOG SHEET FOR 5-6, HE HAS THAT HE WAS AT SCHOOL CROSSINGS. ON A WORK PERIOD TIME REPORT, HE GOT PAID FOR AN HOUR OVERTIME BUT HE'S IN YOUR BOOK AS BEING OWED AN HOUR OVERTIME FOR ABANDONED ENTRIES. SO WOULD YOU AGREE HE GOT PAID FOR AN HOUR OVERTIME FOR SCHOOL CROSSINGS?

LEWIS I AGREE HE DID.

WALTON SO THEN OFFICERS DO GET PAID FOR OVERTIME OTHER THAN GOING TO COURT OR, IF THEY PUT IN FOR IT?

LEWIS SOMETIME THEY DO. HE GOT PAID FOR THE SCHOOL CROSSINGS BUT JUST REGULAR COMMUNITY RELATIONS WORK YOU DON'T GET PAID OVERTIME FOR IT.

WALTON ISN'T SCHOOL CROSSINGS COMMUNITY RELATIONS?

LEWIS NOT REALLY. THEY ONLY CALL IT IN WHEN CROSSING GUARDS DOESN'T COME AND DISPATCH LETS US KNOW . . OFF DUTY

WALTON OKAY WHAT'S THE, IN YOUR NOTEBOOK THEN FOR 5-6, WHAT'S IS HE OWED AN HOUR FOR?

LEWIS HE'S NOT OWED AN HOUR, BECAUSE HE GOT PAID FOR THAT HOUR.

WALTON THAT'S ANOTHER MISTAKE?

LEWIS YEAH.

WALTON AND THEN AUGUST 4

LEWIS THAT'S NATIONAL NIGHT OUT

WALTON OKAY DID HE DO TWO HOURS ABANDONED ENTRY?

LEWIS NO HE WAS THERE FOR OVER TWO HOURS ON OFF DUTY.

WALTON SO HE WAS NOT DOING ABANDONED ENTRY?

LEWIS NO.

WALTON ANOTHER MISTAKE IN YOUR BOOK THEN?

LEWIS THAT'S ANOTHER MISTAKE IN MY BOOK.

WALTON OKAY, OFFICER BORDEN, WE'VE ALREADY DISCUSSED HER.

WE'RE GONNA SKIP THIS PAGE OKAY? OFFICER COLLINS NONE?

LEWIS NONE

WALTON SO OUT OF ALL THESE, THEY'RE ALMOST ALL MISTAKEN ENTRIES. IS THAT WHAT WE COVERED. OFFICER CURTIS' WERE ALL MISTAKES. HERE WAS A MISTAKE ON ALL THREE OF THOSE. OFFICER RIOS. MISTAKES. OFFICER ROBBINS THAT WAS A MISTAKE. HAWKINS, BOTH OF THOSE WERE MISTAKES?

LEWIS OFFICER ROBBINS THE TWO HOURS THAT SHE HAD FOR 8-4 WAS NATIONAL NIGHT OUT. NOT THE ABANDONED CAR ENTRIES.

WALTON YOU HAVE SCHOOL CROSSINGS.

LEWIS I'M SORRY SCHOOL CROSSINGS.

WALTON WELL WHEN DID YOU, WHEN DO YOU FILL OUT YOUR NOTEBOOK?

LEWIS I TRY TO DO IT RIGHT AFTERWARDS. I TRY TO GO FROM MEMORY RIGHT AFTERWARDS THAT IT'S DONE.

WALTON WELL SO FOR 8-4, YOU HAVE ROBBIN SCHOOL CROSSING, YOU HAVE HAWKINS ABANDONED ENTRY, AND THERE WAS ONE OTHER PERSON ON 8-4 I BELIEVE THAT ARE ALL DIFFERENT BUT YOU'RE SAYING THEY ALL DID THE SAME THING?

LEWIS YEAH

WALTON WOULD YOU HAVE PUT 8-4 ENTRIES ALL ON DIFFERENT DAYS THEN FOR THESE PEOPLE

LEWIS WHAT YOU MEAN?

WALTON WELL YOU SAID YOU TRY AND DO IT AS SOON AS RIGHT AFTER THE TIME THAT THEY WORKED CORRECT?

LEWIS RIGHT, BUT THIS WAS DONE THE DAY AFTERWARDS, BECAUSE THAT NIGHT WE HAVE BEEN THERE ALL DAY AND ALL NIGHT LONG SO I PROBABLY DID IT THE NEXT DAY

WALTON OKAY AN THEN THE NEXT DAY YOU DIDN'T REMEMBER HOW DID YOU GET THREE DIFFERENT ENTRIES IF THEY ALL WERE DOING THE SAME THING? SCHOOL CROSSING, ABANDONED VEHICLE AND ONE HOUR OVERTIME?

LEWIS I PUT IT DOWN AS I RECALLED IT.

WALTON THE VERY NEXT DAY, AFTER WORKING WITH THEM, THAT'S HOW YOU RECALLED IT?

LEWIS YEAH BECAUSE WE WERE TIRED.

WALTON OKAY AND THE OTHER ENTRIES THAT WERE, YOU ACCOUNT
FOR THAT HOW?

LEWIS WRONG DATES.

WALTON OKAY I'M GONNA FLIP THE TAPE OVER AND WE'LL START WITH
THE NEXT ITEM.

WALTON OKAY WE'RE BACK ON THE RECORD. DID YOU HAVE ANY
DISCUSSIONS WITH ANY OF THE COMMANDERS AT YOUR
DISTRICT REGARDING OFFICER BORDEN BEING CARRIED
WORKING WHILE SHE WAS ON HER CARIBBEAN CRUISE?

LEWIS I HAD TALKED TO COMMANDER DOLUNT BEFORE SHE WENT ON
THE CRUISE, THAT SHE HAD A FEW. . .

WALTON AND WHEN WAS THAT

LEWIS THAT WAS A FEW DAYS BEFORE THE CRUISE. A FEW DAYS
BEFORE SHE WENT. WITHIN THAT SAME WEEK. I CAN'T RECALL
WHAT DATE.

WALTON SO YOU'RE SAYING HE WAS AWARE AND APPROVED OF IT?

LEWIS YES MA'AM.

WALTON OKAY WHY THEN DO YOU THINK HE THEN NOTIFIED US
REGARDING THE TIME FRAUD?

LEWIS I HAVE NO IDEA.

WALTON DID YOU DISCUSS IT WITH HIM AFTERWARDS?

LEWIS NO I DIDN'T, BECAUSE I DIDN'T KNOW I WAS BEING INVESTIGATED FOR TIME FRAUD.

WALTON WHEN DID YOU BECOME AWARE?

LEWIS I BECAME AWARE OF THAT WHEN I READ IT IN THE NEWSPAPER.

WALTON AND THAT WAS, WAS IT

LEWIS HE NEVER TALKED TO ME ABOUT IT.

WALTON BUT YOU'RE SAYING HE APPROVED IT AND THEN AFTER HE APPROVED IT HE REPORTED IT TO US?

LEWIS YES MA'AM.

WALTON OKAY THIS IS AN ARTICLE DATED JANUARY 15TH. IS THIS THE ARTICLE THAT YOU'RE REFERRING TO?

LEWIS THIS IS THE ONE.

WALTON OKAY SO THAT'S WHEN -- THE FIRST TIME YOU REALIZED THERE WAS SOMETHING WRONG WITH THE TIME FOR OFFICER BORDEN?

LEWIS ~~THAT'S WHEN I REALIZED THAT THEY WERE CHARGING ME OR~~
~~YOU GUYS WERE INVESTIGATING ME FOR TIME FRAUD. BUT~~
~~THE COMMANDER, HE NEVER TALKED TO ME ABOUT IT.~~

WALTON BUT PRIOR TO THIS WERE YOU AWARE THAT THERE WAS AN ISSUE REGARDING THIS?

LEWIS NO MA'AM.

WALTON PRIOR TO CHRISTMAS, THAT WEEK LEADING UP TO CHRISTMAS

DID YOU HAVE A CONVERSATION WITH OFFICER BICA WHO WORKS TIME KEEPING AT EASTERN, A DISCUSSION ABOUT HAVING TO CHANGE OFFICER BORDEN'S TIME IN THE BOOK?

LEWIS I SAID I NEEDED TO ADJUST SOME TIME.

WALTON TELL ME ABOUT THAT CONVERSATION.

LEWIS I DON'T NOW HOW IT CAME ABOUT, BUT I TOLD HIM I NEEDED TO ADJUST SOME TIME.

WALTON WHAT TIME WERE YOU TALKING ABOUT? OFFICER BORDEN'S TIME?

LEWIS OFFICER BORDEN'S TIME. THAT'S WHEN I KNEW THEN THAT THIS WAS GOING ON.

WALTON THAT WAS PRIOR TO CHRISTMAS, BUT THIS ARTICLE IS JANUARY 15TH.

LEWIS NO THAT WASN'T PRIOR TO CHRISTMAS.

WALTON OFFICER BICA SAID IT WAS, HE WAS GETTING READY TO DO THE PAYROLL. IT WAS WHILE THE TWO COMMANDERS HAD TAKEN THE ADMINISTRATIVE STAFF OUT FOR A LUNCHEON

LEWIS NO, NO MA'AM.

WALTON SO OFFICER BICA IS NOT BEING TRUTHFUL

LEWIS NO MA'AM

WALKER WAIT WHEN YOU SAYS THAT YOU ARE ASKING HER TO SPECULATE ABOUT THE STATE OF MIND OF SOMEBODY ELSE.

MAYBE HE'S WRONG ABOUT IT.

WALTON

OKAY WHEN DID YOU HAVE THAT CONVERSATION WITH OFFICER BICA?

LEWIS

THAT WAS AFTER I SAW THE ARTICLE IN THE PAPER.

WALTON

OKAY AND TELL ME ABOUT THE CONVERSATION?

LEWIS

I SAID I NEEDED TO ADJUST SOME TIME, BECAUSE THEY'RE TRYING TO GET ME FOR TIME FRAUD WHEN SHE HAD THE TIME COMING.

WALTON

OKAY AND WHAT DID HE SAY?

LEWIS

HE SAID OKAY.

WALTON

AND OKAY WHAT? I GUESS HOW WAS THAT LEFT?

LEWIS

JUST LIKE THAT, OKAY. THERE WAS NOTHING ELSE SAID.

WALTON

AND WHEN WAS THAT CONVERSATION?

LEWIS

THAT WAS IN JANUARY. WE HAD NO CONVERSATION ABOUT THAT IN DECEMBER.

WALTON

DO YOU RECALL WHEN IN JANUARY?

LEWIS

I REALLY CAN'T.

WALTON

BUT IT WAS AFTER THE ARTICLE?

LEWIS

IT WAS AFTER THE ARTICLE.

WALTON

AND WHY DID YOU WANT TO ADJUST HER TIME?

LEWIS

BECAUSE YOU GUYS WERE ABOUT TO CHARGE ME WITH TIME FRAUD WHEN I KNEW I HADN'T DONE ANY TIME FRAUD. SO SHE HAD THE COURT TIME JUST IF YOU'RE GONNA BE LIKE THAT

ABOUT IT, JUST GIVE HER THE COURT TIME. AFTER YOU HAVE
ALREADY TOLD ME TO GIVE HER THE TIME OFF.

WALTON AND YOU'RE SAYING COMMANDER DOLUNT?

LEWIS YEAH.

WALTON ~~IS THERE ANYTHING ABOUT OFFICER BORDEN, BECAUSE WE'RE~~
~~GOING TO MOVE ON TO OFFICER COLLINS, THAT I HAVEN'T~~
~~ASKED YOU, THAT YOU THINK I NEED TO KNOW ABOUT THIS~~
~~INVESTIGATION?~~

LEWIS I DIDN'T FRAUDULENTLY GIVE HER ANY TIME OFF. I WAS GIVEN
THE PERMISSION TO GIVE HER THE TIME OFF. IF HE HAD A
PROBLEM WITH IT HE SHOULD HAVE TOLD ME THEN. NOT WAIT
UNTIL AFTERWARDS.

WALTON AND YOU'RE REFERRING TO COMMANDER DOLUNT?

LEWIS YES MA'AM. I CAN'T APPROVE HER THREE DAYS OFF IN A ROW.
I CAN'T DO THAT. I CAN GIVE YOU AN HOUR HERE AN HOUR
THERE, BUT I CAN'T GIVE YOU THREE DAYS WITHOUT PRIOR
APPROVAL.

WALTON OKAY LET'S MOVE ON TO OFFICER JEROME COLLINS. HE IS ALSO
ASSIGNED TO YOU IN COMMUNITY RELATIONS?

LEWIS YES.

WALTON OKAY AND WERE YOU AWARE THAT OFFICER COLLINS HAD
TWO OTHER FULL TIME JOBS?

LEWIS NO MA'AM.

WALTON WHAT HOURS DID OFFICER COLLINS WORK FOR YOU?

LEWIS HE WORKED 12:00 TO 8:00 AND SOMETIMES HE WORKED 11:00 TO 7:00 AND SOMETIMES SHE WORKED 1:00 TO 9:00.

WALTON AND WHAT HOURS DO YOU TYPICALLY WORK?

LEWIS SOMETIME I WORK, MY HOURS VARY. I WORK 8:00 TO 4:00. SOMETIME I WORK 9:00 TO 5:00. SOMETIME I WORK 10:00 TO 6:00. 2:00 TO 10:00.

WALTON OKAY AND OFFICER COLLINS WAS MONDAY THROUGH FRIDAY?

LEWIS YES.

WALTON AND WOULD YOU SEE HIM ON HIS ON DUTY EVERY DAY?

LEWIS I WOULD SEE HIM AT ON DUTY.

WALTON EVERY DAY?

LEWIS YES EVERY DAY.

WALTON AND WE HAVE VIDEO SHOWING HIM BEING ON DUTY BECAUSE HE STARTED AT 7:00 A.M. AND WORKED TWO AT ST. JOHN'S HOSPITAL AND HE'S ON VIDEO WORKING THERE. WOULD YOU HAVE AN EXPLANATION HOW HE COULD BE IN TWO PLACES AT ONCE?

LEWIS I CANNOT EXPLAIN THAT, BUT JEROME COLLINS WAS HERE AT WORK.

WALTON FOR HIS WHOLE EIGHT HOURS OR WHAT PART?

LEWIS HE WOULD COME IN, GET HIS ASSIGNMENTS AND HE WOULD LEAVE.

WALTON OKAY AND DID YOU CHECK ON HIM?

LEWIS SOMETIMES I WOULD CHECK ON HIM. IF HE, HE HAD THAT SCHOOL UP THERE ON WHITTIER AND . . HE HAD TO BE THERE AT A CERTAIN TIME. IF I WOULD RIDE THROUGH I'D SEE THE VAN THERE, I KNEW HE WAS THERE.

WALTON AND YOU'RE, IT'S YOUR CONTENTION EVERY DAY THAT YOU SAW HIM ON DUTY?

LEWIS YES MA'AM

WALTON AND WERE YOU AWARE HE HAD ANOTHER JOB?

LEWIS ~~I WAS NOT AWARE JEROME HAD ANOTHER JOB.~~

WALTON AND HAVE YOU EVER HAD ANY DISCUSSIONS WITH HIM SINCE THIS INCIDENT REGARDING OTHER JOBS?

LEWIS I HAD A DISCUSSION WITH HIM AFTER YOU GUYS CAME IN AND COMMANDER DOLUNT CALLED ME INTO HIS OFFICE AND TOLD ME JEROME COLLINS WAS INVESTIGATED FOR HAVING A SECOND JOB. I TALKED TO JEROME COLLINS. I CALLED HIM INTO MY OFFICE, I ASKED HIM HOW LONG HAS HE BEEN WORKING THAT SECOND JOB. HE SAID SINCE 2004.

WALTON OKAY AND DID YOU HAVE FURTHER DISCUSSION WITH HIM ABOUT IT?

LEWIS NO MA'AM.

WALTON SO ARE YOU AWARE NOW THAT HE WAS NOT WORKING EIGHT HOURS FOR THE DETROIT POLICE DEPARTMENT ON HIS SHIFT?

LEWIS I AM NOW.

WALTON BUT IT'S YOUR CONTENTION YOU SAW HIM AT ON DUTY EVERY DAY?

LEWIS YES MA'AM..

WALTON OKAY PREVIOUSLY, THE THREE OF US, BEING ATTORNEY WALKER, YOURSELF AND I, WERE AT AN INVESTIGATIVE SUBPOENA AND YOU HAD BROUGHT UP SOME INFORMATION REGARDING ASSISTANT CHIEF GODBEE, FORMERLY DEPUTY CHIEF MOTLEY AND COMMANDER DOLUNT AND THEIR KNOWLEDGE REGARDING OFFICER COLLINS IS THAT CORRECT?

LEWIS THAT'S CORRECT.

WALTON OKAY WHAT IS IT, BECAUSE I DO NOT HAVE A COPY OF THE INVESTIGATIVE SUBPOENA AUDIO. TELL ME WHAT YOUR UNDERSTANDING IS REGARDING THOSE EXECUTIVES AND OFFICER COLLINS?

LEWIS I CAME INTO THE DISTRICT IN I THINK, IN 2005. GODBEE WAS THERE IN 2005, THAT'S WHEN WE SWITCHED OVER. I WAS A SUPERVISOR, ME AND LIEUTENANT. AFTER TONYA GOSS AND WILSON WAS PROMOTED TO LIEUTENANT, D.C. GODBEE PUT ME

IN COMMUNITY RELATIONS. WE HAD A MEETING HE SAID ALL I WAS SUPPOSED TO DO WITH JEROME COLLINS WAS PUT HIM ON THE DETAIL. JEROME COLLINS WOULD REPORT DIRECTLY TO HIM. DURING THE TIME I WAS IN COMMUNITY RELATIONS, FOR ALL OF THAT TIME I NEVER SAW JEROME. I SAW JEROME COLLINS IN TWO THOUSAND--WHEN D.C. MOTLEY CAME IN 2007.

WALTON OKAY SO EARLIER WHEN YOU WERE SAYING YOU SAW JEROME COLLINS EVERY DAY AT ON DUTY, YOU WERE TALKING ABOUT WHEN?

LEWIS THAT'S WHEN I WAS THERE.

WALTON I'M A LITTLE BIT CONFUSED, I'M SORRY.

LEWIS I CAME INTO THE UNIT 2006, I NEVER SAW HIM IN 2006. I DIDN'T SEE COLLINS UNTIL 2007. WHEN D.C. GODBEE WAS PROMOTED TO ASSISTANT CHIEF, THAT'S WHEN HE STARTED COMING IN. HE STARTED COMING IN WHEN D.C. MOTLEY CAME IN.

WALTON SO

LEWIS SO PRIOR TO THAT, I HADN'T SEEN HIM.

WALTON SO YOU WERE ASSIGNED TO COMMUNITY RELATIONS IN 2006

LEWIS MMHMM

WALTON IN BETWEEN 2006 AND 2007 YOU NEVER SAW HIM?

LEWIS NO MA'AM.

WALTON AND A.C. GODBEE OR THEN HE WAS A DEPUTY CHIEF THEN
CORRECT?

LEWIS HE WAS DEPUTY CHIEF THEN.

WALTON HE TOLD YOU JUST CARRY HIM ON YOUR DETAIL

LEWIS CARRY HIM ON MY DETAIL. JEROME COLLINS WILL REPORT
DIRECTLY TO ME.

WALTON AND SO EARLIER WHEN YOU WERE TALKING ABOUT YOU SAID
YOU SAW OFFICER COLLINS EVERY DAY AT ON DUTY, YOU'RE
TALKING ABOUT STARTING WHEN?

LEWIS WHEN D.C. MOTLEY CAME IN

WALTON THAT WAS 2007? AND HOW DID THAT, WHAT HAPPENED, WHAT
WAS THE CHANGE THERE?

LEWIS D.C. MOTLEY CAME IN. IF YOU KNOW D.C. MOTLEY, SHE WANT
TO SEE EVERYBODY. SHE WANT EVERYBODY WORKING. SHE
CAME IN, SHE ASSIGNED HIM TO SCHOOLS. ALL THE SCHOOLS.
BEFORE DISMISSAL TIME, SHE WANTED HIM AT ALL THE
SCHOOLS WRITING THOSE. . TICKETS. AND THAT'S WHAT HE DID
FOR HER.

WALTON OKAY SO 2007 TO THE PRESENT, YOU'RE SAYING HE WAS THERE
EVERY DAY?

LEWIS WHERE WORK?

WALTON YES.

LEWIS YES MA'AM.

WALTON AND WHAT WAS YOUR UNDERSTANDING OF WHERE HE WAS IN 2005 TO 2007, OR NO, I'M SORRY YES, DURING 2006 WHAT WAS YOUR UNDERSTANDING OF WHERE HE WAS?

LEWIS I DIDN'T HAVE AN UNDERSTANDING. HE REPORTED DIRECTLY TO D.C. GODBEE.

WALTON YOU NEVER ASKED?

LEWIS NO, WHEN HE SAID JEROME COLLINS REPORTED DIRECTLY TO HIM, I LEFT IT JUST LIKE THAT, BECAUSE I KNEW THEY WERE FRIENDS.

WALTON HOW DO YOU KNOW THEY'RE FRIENDS?

LEWIS BECAUSE HE SPOKE OF D.C. GODBEE ALL THE TIME.

WALTON OFFICER COLLINS DID?

LEWIS YEAH.

WALTON WHAT DID HE SAY ABOUT A.C. GODBEE.

LEWIS HE SAID A.C. GODBEE WAS HIS BOY.

WALTON OKAY

LEWIS SO WHEN HE SAY A.C. GODBEE IS MY BOY, I TAKE IT THOSE GUYS ARE FRIENDS.

WALTON AND SO YOU TOOK THAT TO BE HANDS OFF? DON'T DO ANYTHING WITH HIM?

LEWIS THAT'S RIGHT.

WALTON AND IN 2007 WHEN MOTLEY TOOK OVER, THAT ENDED THEN.
JEROME COLLINS WAS COMING TO WORK?

LEWIS HE WAS COMING TO WORK. SHE SAID IF SHE HAD TO BE THERE
EVERYBODY HAD TO.

WALTON BUT WE NOW KNOW HE WASN'T THERE, BECAUSE HE WAS
WORKING AT ST. JOHN'S HOSPITAL.

LEWIS I FOUND THAT OUT WHEN I FOUND OUT ABOUT THE SECOND
JOB, THE OTHER JOB AT THE BOARD OF POLICE
COMMISSIONERS.

WALTON AND DID YOU HAVE ANY CONVERSATIONS WITH COMMANDER
DOLUNT REGARDING OFFICER COLLINS AND HIM REPORTING TO
WORK?

LEWIS COMMANDER DOLUNT GAVE OFFICER COLLINS ALL THE B & E'S
THAT OCCURRED IN THE DISTRICT. HE WAS SUPPOSED TO GO TO
EVERY HOUSE, PUT A DOOR STOPPER, THOSE DOOR HANGERS
ON THE DOORS. I TYPED UP A LETTER, HE PUT THE LETTER, WAS
SUPPOSED TO PUT THE LETTERS IN THE DOORS AND TALK TO
THE FOLKS ABOUT HOME SECURITY SERVICE. THAT WAS HIS
JOB WITH COMMANDER DOLUNT, BECAUSE I HAD AUDREY
CURTIS DOING THAT JOB AND HE TOOK IT FROM AUDREY AND
GAVE IT TO JEROME.

WALTON AND DID YOU EVER CHECK AND SEE, SUPERVISE ON HIS JOB TO

SEE IF HE WAS DOING IT?

LEWIS

I COULD ALWAYS KEEP A COPY OF THOSE B & E REPORTS BECAUSE DOLUNT WOULD ALWAYS EMAIL THEM TO ME AND I WOULD GIVE THEM TO COLLINS. EMAIL THEM TO ME TO GIVE TO COLLINS. I RODE BY SOMETIMES. . .IF HE DID. . .

WALTON

AND

LEWIS

HE WAS

WALTON

AND HOW OFTEN WOULD YOU CHECK ON HIS WORK OR IN GENERAL ALL THE PEOPLE WHO WORKED FOR YOU?

LEWIS

I TRIED TO CHECK ON ALL MY PEOPLE AT LEAST TWICE A WEEK WHEN I HAD THE CHANCE. DURING THE WINTER MONTHS IT WAS EASIER, DURING THE SUMMER MONTHS IT WAS HARD.

WALTON

DID YOU GIVE PERMISSION TO OFFICER COLLINS TO WORK A SECOND JOB AND NOT SHOW UP TO DPD?

LEWIS

NO MA'AM. IF I GOT TO BE THERE, EVERYBODY GOT TO BE THERE.

WALTON

OKAY IS THERE ANYTHING IN REGARDS TO OFFICER COLLINS THAT I HAVEN'T ASKED YOU THAT YOU THINK I NEED TO KNOW?

LEWIS

NO.

WALTON

OKAY THAT'S ALL I HAVE. WE'RE OFF THE RECORD AT NOON.

WALTON

OKAY WE'RE BACK ON THE RECORD. IT'S STILL JULY 6, 2010. THE

TIME IS 12:15 P.M. WE HAD A COUPLE OF MINUTES OF OFF THE RECORD DISCUSSION AND MY UNDERSTANDING IS SERGEANT LEWIS THERE'S A FEW THINGS YOU WANT TO PUT ON THE RECORD?

LEWIS

YES.

WALTON

OKAY AND WHAT IS THAT?

LEWIS

THAT IS DURING THE DISCUSSION OF JEROME COLLINS' SECOND JOB, COMMANDER DOLUNT STATED HE WAS NOT GONNA BE DEMOTED FOR NOBODY. IN THE INTERIM COMMANDER MOORE CALLED ME AFTER HE HAD COME BACK FROM SUSPENSION AND HE TOLD ME THAT HE HAD HEARD COMMANDER DOLUNT WAS TRYING TO COVER HIS ASS.

WALTON

THIS WAS COMMANDER MOORE WAS BACK FROM SUSPENSION?

LEWIS

YES

WALTON

OKAY AND HOW WAS THIS CONVERSATION, WAS IT FACE TO FACE, HOW WAS IT?

LEWIS

HE CALLED ME ON MY CELL PHONE. HE WANTED TO KNOW WHAT WAS GOING ON AND I EXPLAINED TO HIM THAT THEY WERE TRYING TO JAM ME UP FOR KENYETTA'S TIME OFF THAT SHE WASN'T COMPENSATED FOR. AND HE SAID WELL I HEARD THAT COMMANDER DOLUNT IS TRYING TO COVER HIS ASS.

WALTON

SO HE SAID HE HEARD THAT. DID HE SAY HE HAD A

CONVERSATION WITH DOLUNT?

LEWIS

NO HE SAID HE HEARD IT.

WALTON

AND SPECIFIC TO THE, CONVERSATION ABOUT DOLUNT SAYING HE WASN'T GONNA GET DEMOTED AGAIN WHO SAID THAT?

LEWIS

COMMANDER DOLUNT SAID THAT DURING THE DISCUSSION WITH JEROME COLLINS HAVING A SECOND JOB, HE MADE THAT COMMENT.

WALTON

SO AND THEN LET'S GET BACK TO COMMANDER MOORE, SO HE CALLED YOU ON YOUR CELL PHONE AND HE SAID THAT HE HEARD DOLUNT WAS TRYING TO COVER HIS ASS?

LEWIS

YES MA'AM.

WALTON

OKAY WAS COMMANDER MOORE PRESENT FOR THE CONVERSATIONS THAT YOU HAD WITH DOLUNT ABOUT BORDEN HAVING TIME COMING AND HE SAID TO USE IT?

LEWIS

NO MA'AM.

WALTON

DID YOU MAKE HIM AWARE OF THOSE CONVERSATIONS?

LEWIS

NO MA'AM.

WALTON

HOW, DO YOU KNOW HOW DID MOORE KNOW THAT IT WAS DOLUNT COVERING IF HE WASN'T AWARE OF YOUR CONVERSATION WITH

LEWIS

DURING THE TIME COMMANDER MOORE CALLED ME I HAD ALREADY BEEN SUSPENDED.

WALTON OKAY.

LEWIS AND I WASN'T THERE WHEN HE CAME BACK TO WORK.

WALTON OKAY.

LEWIS OFF OF HIS SUSPENSION, SO I DON'T KNOW HOW HE HEARD IT,
BUT HE HAD HEARD IT.

WALTON IS THERE ANYTHING ELSE?

LEWIS NO I THINK THAT'S ABOUT IT.

WALTON OKAY, 12:17. WE'RE OFF THE RECORD.

nothing further.

MR. WOODYARD: I have nothing further.

THE COURT: Thank you, Officer. You can step down.

(Whereupon a recess was held)

THE COURT: Back on the record in 10-58564, People versus Jerome Collins. Good afternoon.

MR. EVELYN: Gerald Evelyn on behalf of defendant.

MR. WOODYARD: Michael Woodyard for the people.

MATTIE LEWIS, after having been first duly sworn, to tell the truth, the whole truth and nothing but the truth, was examined and testified as follows:

THE WITNESS: Yes.

THE COURT: As soon as you're ready.

DIRECT EXAMINATION

BY MR. EVELYN:

Q Can you state your name for the record?

A Mattie Lewis.

Q And how are you employed?

EX.6

1 A City of Detroit Police Department.

2 Q And your assignment is community relations?

3 A Yes.

4 Q And you're a sergeant?

5 A Yes.

6 THE COURT: Okay, and you're here
7 pursuant to a subpoena, correct?

8 THE WITNESS: Yes.

9 THE COURT: With your attorney,
10 Mr. Walker?

11 MR. EVELYN: My esteemed colleague,
12 Mr. Fred Walker?

13 THE WITNESS: That's correct.

14 THE COURT: Would you like to move
15 closer to her, counsel?

16 MR. WALKER: No, I'm fine, your
17 Honor. Thank you.

18 THE COURT: Would you identify
19 yourself for the record?

20 MR. WALKER: Fred Walker on behalf
21 of Miss Mattie Lewis.

22 THE COURT: Thank you.

23 BY MR. EVELYN:

24 Q Sergeant Lewis, where were you assigned in 2006 to
25 2009?

1 A The Eastern District.

2 Q What was your responsibilities?

3 A Community relations.

4 Q And just in very general terms, what's the mission of
5 the community relations unit?

6 A The unit, community relations is to bring the community
7 and the police closer together to, like, setting up
8 block clubs, neighborhood watches, attending meetings.

9 Q Anything that will improve the relationship between the
10 department and the citizens; is that correct?

11 A Exactly.

12 Q And did you have a unit that you supervised?

13 A Yes.

14 Q And who were the members of that unit?

15 A Officer Collins, Officer Curtis, Officer Burt, Officer
16 Robbins, Officer Brownlee, Officer Philip Curtis,
17 Officer Taylor and Officer Borden.

18 THE COURT: I'm sorry, last name?

19 THE WITNESS: Borden.

20 THE COURT: And Burke, do you know
21 which way Burke is spelled?

22 THE WITNESS: B-u-r-t.

23 THE COURT: Burt. Thank you.

24 BY MR. EVELYN:

25 Q And when did you become the supervisor for that unit?

- 1 A To the best of my recollection, it was in July of '06. 78
- 2 Q And who gave you that command of that unit?
- 3 A D.C. Godbee.
- 4 Q D.C. Stands for?
- 5 A I'm sorry, Deputy Chief Godbee.
- 6 Q And he is now chief of the police?
- 7 A Exactly.
- 8 Q Did you meet all of the members of your unit when you
- 9 were assigned that unit?
- 10 A No, I met all of them except for Officer Collins when
- 11 we had the meeting.
- 12 Q So you had a meeting with those officers that you just
- 13 mentioned and everyone was there except Officer
- 14 Collins?
- 15 A Yes, with D.C. Godbee.
- 16 Q You, D.C. Godbee and the union?
- 17 A Correct.
- 18 Q Was there some reason why Officer Collins wasn't
- 19 present, if you know?
- 20 A To my recollection he said Officer Collins was assigned
- 21 to him.
- 22 Q So the deputy chief say he is in your unit, but he is
- 23 assigned to me?
- 24 A Exactly.
- 25 Q Now is it correct, Sergeant Lewis, that at least as far

1 as the community relations unit was concerned, when you
2 first took over they weren't doing activity logs as a
3 matter of course; is that correct?

4 A Not to my recollection. I really don't know.

5 Q Well, you certainly -- activity logs are documents that
6 you, at some -- you, as a supervisor, would have to
7 sign; is that correct?

8 A Right.

9 Q So your recollection is that when you took over the
10 unit in 2006 I think you said?

11 A Yeah, 2006.

12 Q Two thousand six, that that unit, because of it's
13 mission, didn't do activity logs; is that correct,
14 those officers?

15 A In 2006?

16 Q Yes.

17 A I can't testify to that. I just know they started
18 doing activity logs when I was there.

19 Q So you're saying that when you took over in 2006 they
20 did activity logs?

21 A They -- to my recollection. I'm really not sure.

22 Q If I suggested to you that that unit did not submit
23 activity logs in 2006, 7 or 8, is your memory any
24 different from that?

25 A I know there was activity logs in 2007.

1 Q Okay.

2 Q Let me ask you regarding Officer Collins, did he -- was
3 he submitting activity logs in even 2006?

4 A No.

5 Q Two thousand and seven?

6 A Yes.

7 Q He did activity logs in 2007, you're sure of that. Is
8 it possible that he didn't start doing activity logs
9 until 2009, is that at least possible?

10 A I really can't remember.

11 Q You don't remember, okay.

12 A No.

13 Q Now I believe you indicated that he was -- you were
14 told by Deputy Chief Godbee that at least initially
15 Officer Collins was reporting to him; is that correct?

16 A That's correct.

17 Q And did you -- but you did have some idea of some of
18 the activities that he was involved in; is that
19 correct?

20 A Not at that time, no.

21 Q When did you become aware of what he did?

22 A I became aware back in -- when did D.C. Godbee come?

23 Q When was that?

24 A Two those and I want to say seven.

25 Q You think it was 2007, you're not positive?

1 A Yeah. Right. I want to say 2007.

2 Q But whenever Deputy Chief Motley took over for Deputy
3 Chief Godbee, then you became aware of what Officer
4 Collins was doing; is that correct?

5 A Exactly.

6 Q And what were Officer Collins responsibilities in 2007
7 that you were aware of?

8 A Deputy Chief Motley would give me his assignment, get
9 him to go to the schools. We had four high schools in
10 the area, so he went to all the high schools and wrote
11 tickets for kids hanging outside of the schools.

12 Q Let me make sure I understand. Did you say when he
13 began, when Deputy Chief Motley took over, Deputy Chief
14 Godbee, Deputy Chief Motley would give you Officer
15 Collins assignments?

16 A Yes.

17 Q So he was still reporting to a Deputy Chief; is that
18 correct?

19 A Pretty much.

20 Q So Motley would give you what Motley said were Officer
21 Collins assignments; is that correct?

22 A Exactly.

23 Q And did Motley tell you what his hours were?

24 A No, she didn't.

25 Q So you can't testify that, at least, as far as 2007 was

1 concerned, what hours he supposedly worked?

2 A Twelve to eight, one to nine or two to ten, depending
3 on what was going on but --

4 Q But you didn't give him his regular work assignments,
5 did you?

6 A They was given to me to give to him.

7 Q Well let's talk about 2009 for a moment. I think 2009,
8 starting in January, do you know what his
9 responsibilities were?

10 A His responsibilities then were to go to all the homes
11 that had experienced B and E's, to put those 100 Speak-
12 up fliers on the doors, to give them a letter for home
13 security surveys and there was something else, inform
14 them on how to start block clubs if they needed one.

15 Q Was he responsible to go to any of the schools in 2009?

16 A He went to the schools. He was still responsible for
17 the schools.

18 Q And was this any different in 2008, what you just
19 describe?

20 A No.

21 Q So 2008 he did the same thing as far as you were
22 concerned; is that right?

23 A Right.

24 Q Is that a yes?

25 A Yes.

1 Q Now would it be a fair statement that Officer Collins 83
2 worked a flexible schedule because of his duties?

3 A We all worked flexible schedules.

4 Q Well he worked -- would that include him?

5 A Yes.

6 Q And by flexible schedule does that mean his actual work
7 hours would vary from day-to-day?

8 A The actual work hours were from 12 to 8, but sometimes
9 time might change. Like if we had a meeting, had an
10 event going on in the precinct, the time would change.

11 Q Is it your testimony that he always worked one of those
12 regular shifts, 11 to 8 -- I mean 11 to 7, 12 to 8 or 2
13 to 10?

14 A Two to ten or one to nine.

15 Q When he would do activity logs -- well, let me ask you
16 this, if he worked a regular shift, would it be his
17 responsibility to see you when he first came in, come
18 to your desk and say I'm here?

19 A Yes.

20 Q So every day that he has an activity log that says 11
21 to 7, that means that he came to see you at 11:00?

22 A He either came to see me or he came to see the
23 lieutenant.

24 Q Okay, and this would have been in 2008 and 2009?

25 A Lieutenant -- Yes.

1 Q So that means that you're saying that the activity 84
2 logs, if there are activity logs for 2009 that you
3 signed, they're all accurate, is that your testimony?

4 A Yes.

5 Q And they're all accurate as to what he did, what his
6 responsibility and duties were?

7 A Yes.

8 Q And you were required to confirm as much as you could
9 in your supervisory capacity that the members of
10 community relations unit -- strike that.

11 You're required to supervise their
12 activities; is that correct?

13 Q The members of the unit?

14 A Supervise their activities?

15 Q Right?

16 A What exactly do you mean?

17 Q I mean make sure that they were doing their jobs?

18 A Yes.

19 Q And as far as your concerns, your testimony is that
20 Officer Collins did his job; is that correct?

21 A He did his job.

22 Q Now you did mention in the list of things Officer
23 Collins did was Officer Collins was responsible for
24 youth activity?

25 A Yes.

1 Q Did he run a football program, rather extensive
2 football program out of that precinct -- strike that,
3 out of Eastern District as part of his duties?

4 A Yes.

5 Q And was the football schedule for the games posted in
6 your office?

7 A The commanders had it.

8 Q It was posted in the commanders' office?

9 A Yes.

10 Q Those games were played on weekend's; isn't that
11 correct?

12 A I don't know.

13 Q You never looked at the schedule?

14 A No, not -- no.

15 Q You -- let me indicate you were his supervisor,
16 correct?

17 A Right.

18 Q And that was part of what he did as a part of his job,
19 which is to run sports programs; is that correct?

20 A That's correct.

21 Q And the commanders required that those schedules be
22 posted in the commanders office, right?

23 MR. WOODYARD: Judge, I'm going to
24 object, leading.

25 THE COURT: Do you want to

rephrase?

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MR. EVELYN: I'll rephrase.

BY MR. EVELYN:

Q You are aware that there were schedules that they had for those games; is that correct?

A Yes.

Q And did you ever see the schedule?

A I saw the schedule.

Q Where were they?

A In the commanders' office.

Q Why were they in the commander's office?

A The commander wanted the schedule.

Q Who are the commanders?

A It was Commander Moreland, Commander Verta Coserta, Commander Leo Powels. I can't recall -- I know there was a couple more commanders, but I can't recall them.

Q Did you ever attend any of the football games or sporting programs that Officer Collins was coordinating?

A No.

Q Did you ever go to any of the championship games along with other command officers?

A No.

Q Did you ever attend any of the practices?

A No.

1 Q He did have the permission to use department vehicles
2 and equipment for this because this is a department
3 activity; isn't that correct?

4 A I -- that would have to come from the chief -- I mean
5 the deputy chief.

6 Q Well there were two vans in that precinct; is that
7 correct?

8 A Right.

9 Q And he used one of them, didn't he?

10 A Yes.

11 Q On a regular basis?

12 A Exactly.

13 Q And one of the sports programs involves him
14 transporting --

15 MR. WOODYARD: Judge, I'm going to
16 object. It's leading.

17 MR. EVELYN: Okay. I'll rephrase.

18 MR. WOODYARD: 'Cuz this is
19 counsel's witness.

20 THE COURT: I'm mindful.

21 MR. WOODYARD: Thank you.

22 BY MR. EVELYN:

23 Q In the course -- you testified that Officer Collins did
24 his job; is that correct?

25 A Correct.

1 Q And you testified that at least initially, his job
2 involved the B and E follow-up activities and going to
3 schools; is that right?

4 A Right.

5 Q Correct?

6 A Correct.

7 Q Now I suggested to you or I asked you a question about
8 sports activity, 'cuz you didn't list those as part of
9 his -- what he did; isn't that correct?

10 A Correct.

11 Q Wouldn't it be correct that most of what he did was
12 coordinate sports programs?

13 A I didn't know about the sports programs. That was done
14 after work.

15 Q The sports programs were part of his responsibilities
16 though, weren't they?

17 A Yes.

18 Q Part of what he got paid to do; isn't it?

19 A Not to my knowledge.

20 Q Not to your knowledge?

21 A No. If he -- no.

22 Q Sergeant Lewis, you have a lawyer because part of the
23 investigation that was conducted involving Officer
24 Collins lead to an investigation of you; is that
25 correct?

1 A That's correct.

2 Q And you have a position that is somewhat adverse to my
3 client, would that be a fair statement?

4 A Adverse?

5 Q I'll rephrase it. You were questioned about your
6 supervision of him; isn't that correct?

7 A Correct.

8 Q You were questioned from the perspective of you
9 potentially being disciplined yourself; isn't that
10 correct?

11 A Correct.

12 Q You were the subject of disciplinary action which were
13 involved with activity logs?

14 A That's correct.

15 MR. EVELYN: I would ask that I be
16 allowed to cross-examine the witness. I believe she's
17 a hostile witness.

18 THE COURT: Mr. Woodyard, wish to
19 be heard?

20 MR. WOODYARD: Yeah. Sergeant
21 Lewis has respectfully and calmly answered all of
22 counsel's questions. There is absolutely no indication
23 that she's hostile. I think that the only hostile
24 person is emanating from the podium, with all due
25 respect, from Mr. Evelyn.

1 MR. EVELYN: And I say I've been
2 around a long time. I know when someone is
3 disrespecting me. I disagree with him. He's entitled
4 to that. I think that her condition -- she is adverse
5 to my client and some of the testimony has been
6 adverse. For that reason --

7 MR. WOODYARD: I think that's a
8 different question under the Rule of Evidence of
9 whether the position is adverse. I think that the
10 question is whether the witness is hostile and I didn't
11 address the question of whether the positions were
12 adverse.

13 THE COURT: That wasn't what you
14 were asked to do.

15 MR. WOODYARD: That was not, your
16 Honor.

17 MR. EVELYN: At this point, I
18 think that I should be allowed to ask leading
19 questions.

20 THE COURT: Not yet, but I can
21 envision you'll renew your request.

22 BY MR. EVELYN:

23 Q Sergeant Lewis, were you questioned about your
24 supervision of Sergeant -- Officer Lewis (sic)?

25 A That's correct.

1 Q You were asked about why he was able to work outside 91
2 position under your supervision, among other things,
3 weren't you? Weren't you, among other things?

4 A I was.

5 Q You said you didn't know he had an outside job?

6 A That's correct.

7 Q In addition, you know that part of the basis for your
8 discipline was a claim that you didn't adequately
9 supervise Mr. Collins, isn't that correct?

10 A Yes.

11 Q And you obviously claim that you did adequately
12 supervise him; is that correct?

13 A Yes.

14 Q So it's certainly to your interest to claim that
15 anything that he did that was regular police function
16 was outside your field of endeavor, you didn't know
17 about it; is that correct?

18 A That was something with him and the chief or the deputy
19 chief at that time.

20 Q So you're saying that his sporting programs, activity
21 was something that came from the deputy chief; is that
22 correct?

23 A Yes.

24 Q Which means he was being paid to do it, correct?

25 A Yes.

1 Q And those sports activities continued after Deputy 92
2 Chief Godbee left and the next deputy chief came; is
3 that correct?

4 A That's correct.

5 Q And it continued when he was working under your
6 supervision; isn't that correct?

7 A That's correct.

8 Q He had to get the keys from the van from you, isn't
9 that right?

10 A That's correct.

11 Q Did he have his own set of keys?

12 A No.

13 Q If I tell you that other officers have testified that
14 they had their own sets of keys, is that --

15 A That would be news to me. They're not supposed to.

16 Q Was it your testimony that Officer Collins had to come
17 to you, wherever he wanted to use the van, he had to
18 come to you to get the keys?

19 A The keys was always in the drawer. He had a key to the
20 office.

21 Q Okay. So you're saying he had access to the keys; is
22 that correct?

23 A Yes.

24 Q And you saw him transporting young men, young people
25 from that district to and from practice and to and from

1 their homes and to and from games; isn't that correct? 93

2 MR. WOODYARD: For what it's worth,
3 I'll just lodge a continuing objection to leading
4 questions.

5 THE COURT: If you'll rephrase as
6 to the last question.

7 BY MR. EVELYN:

8 Q You testified that you knew that part of his job was to
9 run these sports program; is that correct?

10 A That's correct.

11 Q You testified that was part of why he was paid; is that
12 correct?

13 A That's correct.

14 MR. WOODYARD: I'm going to object
15 to leading. Every single, solitary question has been
16 leading.

17 MR. EVELYN: She's already
18 testified to that. That's foundational is all I'm
19 asking. You can ask a foundational, leading question.

20 THE COURT: Indeed hasn't she
21 testified that he was therefore getting paid for it
22 after the new deputy chief came in?

23 MR. WOODYARD: Asked and answered,
24 your Honor.

25 THE COURT: And I -- that I'll

1 sustain.

2 BY MR. EVELYN:

3 Q In any event, did Officer Collins get keys from -- he
4 had access -- did Officer Collins have access to the
5 keys to use the van for work activity?

6 A That's correct.

7 Q Now you testified that you supervised some of his work
8 activity, but you're testifying that you never attended
9 any of the sports program that he did pursuant to your
10 direction by the deputy chief; is that correct?

11 A That's correct.

12 Q Never went to one basketball game, right?

13 A That's right.

14 Q Never went to any bowling activities that he was
15 supposed to do?

16 A No, sir.

17 Q And he did have a bowling program too, didn't he?

18 A I didn't know about the bowling.

19 Q You don't know about the bowling program?

20 A No.

21 Q He did have a football program; is that correct?

22 A Yes.

23 Q And none of these -- none of these activities ever
24 appeared on the activity logs of his, did they?

25 A No.

1 Q Bowling, football, basketball, never on the activity 95
2 log; is that correct?

3 A That's correct.

4 Q And that would be a major portion of what he did, isn't
5 that correct?

6 MR. WOODYARD: Judge, I'm going to
7 object to the leading questions.

8 THE COURT: Would you rephrase?

9 MR. EVELYN: I still think that
10 she's a hostile witness and I've asked the court --

11 THE COURT: You don't have a
12 ruling to that, though.

13 MR. EVELYN: All right.

14 THE COURT: I like to think I'm
15 six feet tall, but no one's confirmed that yet.

16 BY MR. EVELYN:

17 Q Sergeant Lewis, I believe you testified that that
18 included in Sergeant -- included in Officer Collins'
19 responsibilities were community relations unit, were
20 these sports programs that you've just been discussing;
21 is that correct?

22 A That's correct.

23 Q And you indicated that you were a supervisor, at least,
24 at one point in 2008, at least by then; is that
25 correct?

1 A Correct.

2 Q And you supervise what he did; is that correct?

3 A That's correct.

4 Q Did you go out to the homes to make sure he had put
5 these tags on the doors at these B and E locations?

6 A Yes, I would.

7 Q And if anybody had complaints about them, any citizen
8 complained about them, you would know about that; is
9 that correct?

10 A I would.

11 Q And no one ever complained that they weren't getting
12 attended to; is that correct?

13 A That's correct, never.

14 Q The schools he was supposed to be performing these
15 functions at, did you recall the names of those
16 schools, by the way?

17 A Finney, Denby, Osborn and Southeastern.

18 Q Did you ever get any complaints from any of the schools
19 that he wasn't where he was supposed to be?

20 A No, sir.

21 Q Ever have to write him up about not being on the job or
22 not doing what he was supposed to do?

23 A No.

24 Q Now when you were scrutinizing his activities, did you
25 ever take the next step and say well, he also does

1 sports programs, let me go to the sports program and
2 see if those are actually up and running?

3 A No, sir.

4 Q So you never went to one game, never went to one
5 practice; is that correct?

6 A That's correct.

7 Q And the schedule that was posted in the commander's
8 office, did you ever look at the schedule? I'm sure
9 you looked at it at least once, didn't you?

10 A Just once to give it to him.

11 Q Okay. Did you look at what was on it?

12 A No, sir.

13 MR. EVELYN: May I approach the
14 witness?

15 THE COURT: As long as
16 Mr. Woodyard knows with what you're approaching.

17 MR. WOODYARD: Judge, I'm going to
18 object to the relevancy of this document that counsel
19 has.

20 MR. EVELYN: I haven't even shown
21 it to her, yet, Judge. It's a purported schedule for
22 football from 2008. She testified that she's posted
23 schedules in commanders' offices. I'm going to ask,
24 this is one that's really simple.

25 MR. WOODYARD: All right.

1 A Correct.

2 Q And the commanders wanted that in their office, so they
3 would know what Officer Collins was involved in; is
4 that correct?

5 A That's correct.

6 Q And those football games are all on weekends, aren't
7 they?

8 A I really can't tell from the schedule.

9 Q Well the calendar will reflect whether they're weekends
10 or not?

11 A Right.

12
13 MR. EVELYN: May I publish it to
14 the court, your Honor?

15 THE COURT: You may.

16 BY MR. EVELYN:

17 Q And those activities on that Defendant's Exhibit A are
18 not on any -- to your knowledge, any of the Officer
19 Collins' activities logs, are they?

20 A Not to my knowledge.

21 Q That you signed, but that's part of what he did for the
22 department, isn't it?

23 A It is.

24 Q Is it your understanding if something appears on an
25 activity log, if work appears on an activity log and
it's outside the normal schedule an officer has a right

1 to ask for compensation for it? 100

2 A In community relations we don't get paid overtime. If
3 you work over --

4 Q Can you say that louder?

5 A In community relations we don't work over. If we work
6 over --

7 Q So you work extra hours in community relations that the
8 department doesn't pay you for?

9 A Exactly.

10 Q It's kind of the breaks of the game?

11 A Yeah.

12 MR. EVELYN: Can I approach the
13 witness?

14 THE COURT: As long as Mr. Woodyard
15 knows -- People know what you're approaching with.

16 MR. WOODYARD: I have no problem
17 with it being -- I have no problem with it being handed
18 into evidence.

19 BY MR. EVELYN:

20 Q I'm going to show you 2009 scheduling of games,
21 starting the weekend of September 19th and running
22 through October 24th, 2009 and also October 31st and
23 November 7th, this championship games that's
24 Defendant's B. That's a schedule that would have been
25 posted in the commander's office also; is that correct?

1 A That's correct, but I've never seen this one.

2 Q You've never saw that one?

3 A No.

4 Q Well, does it refresh your recollection as to any
5 information that was on their schedule in 2009 --
6 strike that. That's a bad question.

7 You indicated that the schedules
8 were always posted in the commander's office, per their
9 instructions, their directive, right.

10 A Right. If I didn't give it to the commander he would
11 give it to him.

12 Q If you didn't give it to the commander, Officer Collins
13 would give it to him?

14 A Officer Collins, yes.

15 Q And there was one posted every week 2008, 2009 also?

16 A Yes.

17 Q You say you don't recall that particular exhibit?

18 A I don't recall this one because normally the commanders
19 put it on his wall and I don't recall that.

20 Q Well, let me ask you some questions about it. If you
21 look at this document that has not been admitted, do
22 you recall whether there was a schedule that you saw in
23 2009 in the commander's office?

24 A No, I can't recall.

25 Q Do you know that there was one posted, but you don't

1 recall whether you saw it, is that your testimony? 102
2 A That's correct.
3 Q That schedule was proposed games on weekends; is that
4 correct?
5 A That's correct.
6 Q Do you know if Officer Collins ever had any
7 compensation or payment for activities for those
8 weekends?
9 A Not to my knowledge.
10 Q Now what about basketball schedules, were they also
11 posted in the commander's office?
12 A Yes.
13 Q Did you look at any of the basketball schedules?
14 A No.
15 Q Do you have any sense of how much of Officer Collins
16 time was spent on sports programs, as programs as
17 opposed to other activities?
18 A I have no knowledge.
19 Q You have no idea even in 2009?
20 A Two thousand and nine, if he had a basketball game or a
21 football game, it was Saturday. That's a lot of time.
22 Q Well, what about in the evenings on weekdays, 8, 9:00?
23 A I couldn't attest to that, but I would be gone.
24 Q Did you ever -- what schedule -- did you have any
25 particular schedule in 2009?

1 A My schedule varied from eight to four, nine to five, 103
2 eleven to seven, twelve to eight, two to ten.
3 Q Well let me ask you about the two to ten days, did you
4 ever see youth, young people at the precinct waiting
5 for Officer Collins?
6 A Yes.
7 Q And that would have been after two or 3:00 after you
8 arrived?
9 A No, that would be late in the evening.
10 Q Ten o'clock?
11 A At ten o'clock -- we had meetings from two to ten.
12 When I say two to ten, those are the meetings that we
13 attend.
14 Q Okay. So you were never working two to ten in the
15 precinct, is that what you're saying?
16 A Right, just community meetings.
17 Q You have community meetings at the district office; is
18 that correct?
19 A In the district, but not inside the district, not
20 inside the police station, in other locations.
21 Q Okay. Well, when you said you would see youth waiting
22 for Officer Collins at the district office when you
23 were working two to ten, you did testify that would be
24 late in the evenings; is that correct?
25 A I have seen a couple in the evening.

1 Q Well, did you work two to ten, officer?

2 A No.

3 Q Just occasionally?

4 A Maybe two to three times a week.

5 Q Two to three times a week, you said and wouldn't it be
6 a regular occurrence that young people would be sitting
7 in the precinct waiting for him to transport him home?

8 A If they were just sitting out in the lobby, I wouldn't
9 see them.

10 Q You wouldn't see them when you came in or left?

11 A I come through -- if you been to Eastern District
12 there's the back door, so I would come through the
13 back.

14 Q Well, you testified that you would see them when --
15 where would you see them in the lobby?

16 A Couple of times I have seen them in the conference
17 room.

18 Q Where is the conference room?

19 A The conference room is the door coming through the
20 back.

21 Q The conference room is closest to the back entrance?

22 A Yes.

23 Q So they would have either come in the back entrance or
24 come through the front and come all the way to the
25 back?